# UKRAINE AND THE CRISIS OF EUROPEAN SECURITY

*Lamberto Zannier*

LOOKING back at recent events in Ukraine from an OSCE perspective, it is difficult not to start from the 2013 Ukrainian OSCE Chairmanship. At the beginning of that Chairmanship, the OSCE embarked on a thorough debate on common security challenges and the state of the agenda of the Organization, with the long-term objective of establishing a Euro-Atlantic and Eurasian security community, as called for by the 2010 OSCE Summit in Astana. The discussions confirmed the value of the OSCE's comprehensive approach to security, but also showed that the multiplicity of perspectives in a large regional organization leads to different priorities reflecting the individual perspectives of different participating States.

Somewhat paradoxically, however, the rapid development of the crisis in and around Ukraine, albeit divisive, has now forced all actors to refocus their attention on issues of common concern, and to redirect discussion on the core principles of the Organization and the conditions for their implementation in an increasingly polarized political and security environment.

Differences that have emerged in the course of this debate have now become the real challenge, not just for the coherence of the OSCE—as it heads towards its 40th Anniversary in 2015—but for European security overall.

## UKRAINE AND COLD WAR ARMS CONTROL LEGACIES

For me personally, Ukraine has been a recurrent issue over the last 25 years or so. As Director of the OSCE Conflict Prevention Center, I spent quite some time in Kyiv in 2004, during the so-called Orange Revolution; but my first engagement goes back to the early 1990s, when I was in charge of arms control and cooperative security issues in the NATO Secretariat.

*Lamberto Zannier is Secretary General of the Organization for Security and Co-operation in Europe.*



*OSCE Chairperson Didier Burkhalter and OSCE Secretary General Lamberto Zannier*

At the end of the Cold War, as the United States substantially reduced the number of its nuclear weapons deployed in Europe, NATO started to engage in support of denuclearization in the former Soviet space with a strong focus on Russia, but also on other successor states such as Ukraine and Kazakhstan. At one stage, the transfer of Soviet tactical nuclear weapons to Russia for dismantlement turned into a controversial matter, because newly independent Ukraine was concerned that not enough guarantees were being provided for its security.

This discussion took place in the wake of another contentious matter, this time related to conventional weapons. The Conventional Armed Forces in Europe (CFE) Treaty had been signed before the collapse of the Soviet Union; it established a complex system of numerical limitations in key categories of conventional weapons, accompanied by exchanges of information and an intrusive verification regime. However, as ratifications progressed, the Soviet Union ceased to exist, and this opened up a difficult discussion on the repartition of the stipulated entitlements between Russia and the other successor states.

There was a common interest in ensuring that stability was preserved. At Germany's initiative, NATO established a working group to discuss key parameters with the successor states.

Russia initially tried to argue that, as the main successor of the Soviet Union, it would take care of the coordination and negotiation, but Ukraine was the first to object, followed by most others; they insisted that this negotiation had to be open and transparent. It took many months to develop a roadmap, but a satisfactory result was achieved in the end, leading to the ratification and full implementation of the CFE Treaty and a protracted period of arms reductions and military stability in the European region.

In the nuclear sphere, however, the situation was more complicated, and NATO's role was less obvious. Yet when President Leonid Kravchuk announced in spring 1992 that Ukraine was suspending the return of former Soviet tactical nuclear weapons to Russia, NATO stepped in with a number of coordinated *démarches* in Moscow and Kyiv to convey the expectation that Russia would give assurances to Ukraine on the dismantlement process. One such assurance involved Moscow inviting Ukrainian inspectors to monitor the destruction of tactical nuclear weapons returned to Russia. The Ukrainians wanted to make sure that these weapons could not become a threat to Ukraine itself, but the real issue for Ukraine was obtaining security guarantees in return for its full denuclearization. This was accomplished through the 1994 Budapest Memorandum, in which Russia and other nuclear weapon states formally guaranteed the security and territorial integrity of Ukraine.

*The violation of the Budapest Memorandum has in fact significantly weakened the notion of security guarantees offered by nuclear weapon states to non-nuclear weapon states, which had been widely considered a cornerstone of the international non-proliferation regime.*

This document was widely cited in relation to Russia's annexation of Crimea. The violation of the Budapest Memorandum, which had been signed on the margins of the OSCE Summit, has in fact significantly weakened the notion of security guarantees offered by nuclear weapon states to non-nuclear weapon states, which had been widely considered a cornerstone of the international non-proliferation regime.

## UKRAINE BETWEEN EAST AND WEST

According to the so-called "Hamlet formula" contained in the 1975 Helsinki Final Act, every country has a fundamental right to be or not to be a party to treaties of alliance. Both NATO and EU members and candidate countries referred to this concept *vis-à-vis* Russia to justify their progressive enlargements, but as a result of these processes Russia increasingly felt that its security was no longer adequately protected. Meanwhile, Ukrainians justifiably claim that it is their right to decide where they belong and the direction their country should take. On the other hand, they could not avoid having to come to terms with the impact of their orientation on relations with one of their key neighbors.

I visited Ukraine on numerous occasions during the 2013 Ukrainian OSCE Chairmanship. In September 2013 I attended the Tenth Yalta European Strategy Annual Meeting in Crimea for a high-level debate on the strategic direction of Ukraine.

*When I met with [...] the then-European Commissioner for Enlargement and Neighbourhood Policy, Štefan Füle, he was very firm in stating that the Deep and Comprehensive Free Trade Agreement was not compatible with the Customs Union, and that Ukraine had to choose its own future course.*

On that occasion, President Viktor Yanukovych showed strong determination to move Ukraine towards the European Union, as he was planning to sign the Association Agreement at the EU Eastern Partnership Summit in Vilnius in November. But he also pointed out the difficulties that Ukraine was facing, including serious financial problems. Negotiations with the EU on refinancing were not too successful—Ukraine needed much more than what the EU was offering. At the same time, Ukraine needed to conclude a deal with Russia on the gas price, and those negotiations were very difficult as well. In the course of a lively exchange with Lithuania's president Dalia Grybauskaite, Yanukovych explained that, while it was clear that the stated goal of Ukraine was to move westwards, this should not jeopardize economic, commercial, financial and energy links with Russia, adding that a reorientation of the economy would require time. That discussion, which provoked fierce reactions by representatives of the then Ukrainian political opposition, who were also present at the event, provided participants in that meeting with a sense that something was brewing under the surface.

My impression at the time was that in parts of the Russian-speaking community, there were indeed concerns about the prospect of Ukraine moving too fast towards cooperation with the European Union. At least initially, some of their concerns were primarily of an

economic nature, given the lack of competitiveness in the European market of Ukrainian heavy industry—much of which was based in the eastern Donbas region—and the risk that jobs could be lost. Over time this perception, which was also fed by a divisive narrative actively promoted by the media, took on more political connotations and affected a progressively larger share of the population in Ukraine's south-eastern provinces. Prior to this polarization, there was a very real possibility that steps towards EU association eventually could have been accepted—even by the skeptics in the Russian communities in the East, given the EU's focus on improving trade and economic cooperation and longer-term prospects for tangible economic improvement across Ukraine. This scenario would have benefitted greatly from some buy-in from Russia. As we know, events unfolded very differently.

As the November 2013 Vilnius Summit approached, Ukrainian Foreign Minister and OSCE Chairperson-in-Office (CiO) Leonid Kozhara encouraged me to assure the EU, in my periodic consultations in Brussels, of Ukraine's determination and commitment to the EU; but also to explain that Ukraine needed the space to continue its own engagement with neighboring countries, including Russia. However, on this issue the EU was inflexible. When I met with EU officials, including the then-European Commissioner for Enlargement and Neighbourhood Policy, Štefan Füle, he was very firm in stating that the Deep and Comprehensive Free Trade Agreement was not compatible with the Customs Union, and that Ukraine had to choose its own future course.

*A progressive radicalization of the Maidan, where right wing and radical positions were beginning to emerge, was precipitating the crisis towards the ultimate confrontation.*

The lack of a prior understanding between the EU and Russia ultimately proved fatal for Yanukovych. Ukraine's structural economic problems, widespread corruption, and weak rule of law all called for reformist policies that had been neglected for years. A stronger association with the EU seemed the best chance for Ukraine to start tackling these issues. But Yanukovych found himself faced with an offer from Russia that he must have considered impossible to refuse, even though it would delay the strategic course he had embarked upon with strong support by a majority of Ukraine's "oligarchs" and large parts of Ukrainian society. At the end of intense consultations with the Russian leadership on the eve of the Vilnius Summit, Yanukovych suddenly announced that he could not follow the course he had set for the country, and that more time was needed to develop stronger ties with the EU. Thousands of Ukrainians immediately took to the streets, plunging the country into what initially looked very much like a repeat of events in 2004.

In early December 2013, just a few days after the Vilnius Summit, OSCE foreign ministers gathered in Kyiv for what turned out to be a successful meeting of the OSCE Ministerial Council, where a number of important decisions were adopted. At the same time, Ukrainians were demonstrating in large numbers in the streets of Kyiv. Many ministers reached out to the Maidan crowd, as I did myself, trying to better understand the conflict that was lacerating Ukrainian society and beginning to turn it against the Yanukovych regime.

### THE OSCE RESPONSE

The Organization was slow to engage in the immediate aftermath of the OSCE Ministerial Council in Kyiv. This was not due to a lack of tools, but rather due to Ukraine's reluctance to allow the internationalization of its internal crisis. When the OSCE Chairmanship was handed over to Switzerland at the end of the year, an action plan started to take shape. I myself visited key European capitals to consult on the way forward, on behalf of the Chairmanship. During his report to the UN Security Council in February 2014, the new OSCE Chairperson-in-Office, Swiss President and Foreign Minister Didier Burkhalter, proposed the creation of an international contact group, which would include Ukraine itself, to play a mediation role and facilitate a resolution of the crisis. There was an obvious need for a political initiative, but engaging with the leadership in Kyiv remained problematic. A progressive radicalization of the Maidan, where right wing and radical positions were beginning to emerge, was precipitating the crisis towards the ultimate confrontation. This was also the time when Moscow began characterizing the Maidan as an ultra-nationalist or fascist movement supported by external Western actors.

The crisis came to a head following the visit of three EU foreign ministers seeking to broker a solution to the impasse, when Yanukovych suddenly decided to abandon the country. Russian media spoke of a "coup," emphasizing the illegality of any government that would emerge as a result of these developments. This narrative was strengthened by the justifications given for the annexation of Crimea, which took place shortly afterwards and created the impression of an internal polarization in Ukrainian society along ethnic lines. During the 2004 events and in the initial phases of the Maidan

movement, divisions had been observed along political, but not ethnic, lines. No Russian flags were flown during the 2004 events, not even by Yanukovych supporters who had travelled to Kyiv from the East and from Crimea to try and counterbalance the "orange" demonstrations.

As the 2014 Swiss OSCE Chairmanship sought to develop a political process engaging the key actors to help de-escalate the crisis, events in Crimea took almost everyone by surprise. During the 1990s, the OSCE had an office in Simferopol and the Organization was familiar with the key problems there: the issues of the Tatar minority, routinely addressed by the OSCE High Commissioner on National Minorities (HCNM); the presence of a strong Russian-speaking community in large parts of the peninsula; and the complex set of issues around the Russian naval base in Sevastopol. However, the Simferopol office was closed in 1999 at the request of Ukraine; as a result, the OSCE did not have a presence in Crimea that would have allowed it to monitor events and provide early warning.

The way Crimea was taken has been described as hybrid warfare. The Ukrainian army was unable to deal with the appearance of masked, well-armed and well-equipped "green men," apparently ferried across the Strait of Kerch and reinforced by local separatists.

When elements of the Russian army, made visible by international media, started to support them more actively, Ukraine had practically already lost control of the peninsula. The OSCE reacted immediately. A number of OSCE participating States sent military observers to the region under the terms of the Vienna Document 2011, but they were not granted access to Crimea. A joint mission that included a personal envoy of the Swiss OSCE CiO, a United Nations envoy, the OSCE Representative on Freedom of the Media, and staff from the OSCE Secretariat, managed to reach Simferopol and tried to talk to local self-proclaimed leaders. However, they were attacked by a crowd of protesters and had to seek refuge in their hotel. It was quite dramatic, and at one point we feared there might even be problems extracting them.

The inviolability of borders and the territorial integrity of states are key principles of the Helsinki Final Act, the OSCE's founding document. The delicate balance of these principles with the principle of self-determination was broken in Crimea. The open violation of Ukraine's sovereignty and territorial integrity was widely condemned, but in the end, the OSCE found little to no space for any concrete OSCE initiatives. The HCNM publicly stated her intention to continue working with the Tatar community in Crimea and to look into allegations of discrimination more closely. She continues to seek access to Crimea, but so far to no avail.

The EU tried to engage in the early stages of the crisis, but it quickly became clear that it could not play the neutral role that was required. The OSCE, however, offered an altogether different platform, thanks to its inclusive membership, its comprehensive approach, and the wide range of conflict prevention instruments at its disposal. All the key players are part of the OSCE—Ukraine, Russia, the United States, the EU Member States, as well as Canada, Turkey and others—and they all sit together at the same table. Eventually, the EU acknowledged the usefulness of an inclusive process, and engaged very substantially in support of the role of the OSCE.

## THE SWISS OSCE CHAIRMANSHIP

In terms of the political process, the 2014 Swiss OSCE Chairmanship played a huge role. Traditional Swiss neutrality was important, but the personal engagement of Swiss President and Chairperson-in-Office Burkhalter was critical, not least in pushing for a role for the OSCE. He was active throughout the crisis at both the ministerial and presidential levels. Already in February, the CiO appointed a personal envoy to coordinate OSCE activities related to Ukraine. In Vienna, numerous special meetings took place to discuss the developing situation in Ukraine, and the regular interaction between participating States intensified. In May, the Swiss Chairmanship proposed a roadmap for the implementation of the Geneva Joint Statement of April 17th, 2014. One important element of this roadmap was to support a Ukrainian-led and Ukrainian-owned national dialogue process. For that purpose, an eminent German diplomat and Chairman of the Munich Security Conference, Ambassador Wolfgang Ischinger, was appointed as the CiO's representative to Ukraine's national dialogue roundtables. Three roundtable meetings were organized in the run-up to the early presidential elections on May 25th, 2014.

Following the inauguration of President Petro Poroshenko, the CiO then appointed another senior and very experienced diplomat, Ambassador Heidi Tagliavini of Switzerland, to represent the OSCE in a Trilateral Contact Group (TCG) consisting of Ukraine, Russia and the OSCE. The TCG began meeting regularly to follow up on agreements reached at higher political levels. After President Poroshenko issued his peace plan, the Contact Group first sought to operationalize the commitments laid out in the Joint Declaration of the foreign ministers of Ukraine, Russia, France and Germany made in Berlin on July

2nd, 2014. On September 5th, 2014, the TCG brokered the Minsk Protocol that set out the terms for a ceasefire, including effective border monitoring, the release of all hostages, and the start of political dialogue; this was followed on September 19th, 2014 by a Memorandum of Understanding on the implementation of an OSCE-supported ceasefire monitoring and verification mechanism.

The TCG continues to hold informal consultations, including with representatives of the separatists in eastern Ukraine. Implementation of the Minsk agreements remains at the forefront of the efforts of the TCG, whose participants must often contend with the separatists' reluctance to engage—not to speak of the complexities of the situation on the ground. In spite of efforts by Ukraine and Russia to pursue a de-escalation of the conflict and the implementation of the ceasefire through a Joint Consultation and Control Commission, at the time of writing decisive progress on implementation of the Minsk agreement has yet to be made.

### THE OSCE'S COMPREHENSIVE APPROACH

More broadly, from the earliest days of the Ukraine crisis, various elements of the OSCE family have indeed been very active. The HCNM and the OSCE Representative on Freedom of the Media have paid a number of visits to Ukraine, after

which they made numerous statements to the OSCE Permanent Council and the media stating their concerns and recommendations on national minorities and media freedom. In mid-March, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the HCNM initiated a human rights assessment mission, issuing a report of their findings on May 12th, 2014. Following an invitation by Ukraine, ODIHR deployed 100 long-term and 900 short-term observers to monitor the May 25th, 2014 presidential elections—the OSCE's largest-ever election observation mission. ODIHR also sent a sizeable mission to observe the parliamentary elections on October 26th, 2014. On both occasions, the OSCE Parliamentary Assembly joined ODIHR in observing the elections, and it also used parliamentary channels to organize a number of meetings bringing together parliamentarians from Russia and Ukraine. I also regularly travelled to Ukraine to consult with the government and other key partners, and visited a camp for internally displaced persons, as well as a camp for refugees from eastern Ukraine in the Rostov region of Russia.

The OSCE Project Coordinator in Ukraine (PCU), a small but effective and long-standing presence with strong project management capabilities, proved to be a crucial logistical bridgehead for staff from the

OSCE Secretariat and Institutions, and facilitated the build-up of the OSCE Special Monitoring Mission to Ukraine (SMM). The OSCE deployed a team of 15 international experts to Ukraine in March-April 2014 as part of a National Dialogue Project run by the PCU; their recommendations identified areas where OSCE activities could support confidence-building between different sectors of Ukrainian society.

I have already mentioned military observers in the context of Crimea. In the event of unusual military activities, the OSCE has a number of mechanisms that can be invoked and are intended to dispel concerns and build confidence. From March 9th to 20th, 2014, 30 participating States at the request of Ukraine sent 56 unarmed military and civilian personnel to take part in verification visits to Ukraine under the Vienna Document 2011 on Confidence- and Security-Building Measures. Since then, smaller inspection teams of unarmed military experts have time and again been on the ground in Ukraine. These inspections, which come at the request of Ukraine and are supported by a sizeable group of OSCE participating States, are a visible sign of solidarity with Ukraine. In addition, numerous requests for consultation and cooperation under the Vienna Document have been made, raised mainly by Ukraine and directed towards Russia.

In February 2014, we were slightly worried that the growing tensions in Ukraine might prevent the OSCE from completing a multi-year project on the removal of over 16,000 tons of a highly toxic rocket fuel component known as *mélange* from deteriorating storage containers in Ukraine. Fortunately, the last load of this extremely combustible liquid was safely shipped to a disposal facility in Russia in early March. With support from a fund for arms control measures financed by extra-budgetary contributions from a number of OSCE participating States, further projects are envisaged in the arms control area in Ukraine. A baseline study on armaments is currently being conducted and a project on removing unexploded ordinance is under preparation. In this regard, the OSCE has developed close cooperation with relevant partners such as the UN Office on Disarmament Affairs.

### THE SPECIAL MONITORING MISSION

As the crisis in Ukraine began to escalate in early 2014, we started considering ways to deploy people on the ground with the objective of monitoring and contributing to the de-escalation and stabilization of the situation, including through dialogue facilitation.

In Crimea this had proven impossible, but in eastern Ukraine there was a possibility to engage in a conflict prevention mode. Following intense but protracted

consultations—which unfortunately precluded the possibility for a potentially more effective preventive action—the OSCE Permanent Council decided on March 21st, 2014 to deploy the Special Monitoring Mission (SMM) to Ukraine. This civilian monitoring operation has a broad mandate: to gather information and report on the security situation; to establish facts in response to incidents; to establish contacts and facilitate dialogue on the ground with the aim of reducing tensions and promoting normalization of the situation. The Mission's mandate covers the whole of Ukraine, with teams of monitors based in ten cities, from Lviv in the west to Luhansk and Donetsk in the east. Thanks to "first responders" from the OSCE Secretariat, Institutions and existing Field Operations, the first SMM teams were on the ground in Ukraine within 24 hours of the Permanent Council's decision.

Setting up the SMM was a tremendous challenge in terms of staff, logistics, funding and constant attention. By July 2014, the SMM had fielded some 250 international staff from over 40 participating States. The Mission is supported by local staff and set to grow to 500 monitors by the beginning of 2015, which will make

*If we manage, as I hope, to find a way to resolve this crisis, promoting reconciliation will be a difficult task that will keep Ukraine and the international community busy for a long time.*

it the biggest current OSCE Field Operation. In-kind contributions of equipment, including armored vehicles, were received from various participating States.

The Mission deployed quickly to all ten locations, but with a progressively stronger focus on the areas in the East. It started engaging with the self-proclaimed leaders of separatist groups in Luhansk and Donetsk, who organized referendums on independence in the spring and local "elections" on November 2nd, 2014—none of which were considered legal by Kyiv. Their results have not been recognized by Ukraine, the OSCE, or even by Russia. Nevertheless, these "elections" are creating a situation with parallels to what happened in Crimea.

Reports from the SMM monitors provided a better sense of what was happening on the ground. In the beginning it seemed that small groups of separatist militants—with significant numbers flowing into the region from neighboring Russia—began to take control of police buildings and other strategic locations in Donetsk and Luhansk, while the vast majority of the population in these regions remained passive and did not really take sides. Pro-Russian movements

did not seem to be strongly rooted in the local population even though there were marches, demonstrations and counter-demonstrations; initially, polarization was not as radical as it has become over time.

As tensions escalated and the authorities in Kyiv launched an "anti-terrorist operation" against the separatists, many people fled the fighting: those with stronger ties to Russia crossed the border, while others went westwards. I visited a refugee camp in the southern Russian city of Rostov, and also a camp for internally displaced persons in Kyiv. I heard diametrically opposing views in these two camps, which made me realize how difficult reconciliation will be. If we manage, as I hope, to find a way to resolve this crisis, promoting reconciliation will be a difficult task that will keep Ukraine and the international community busy for a long time.

In late spring 2014, two teams consisting of four SMM monitors each were kidnapped by separatists. It took a month to secure their release. That was a nightmare for all of us, because of the uncertainty and also because it highlighted the security risks for our staff. In fall 2014, we had repeated incidents when SMM armored vehicles came under fire, and on one occasion one of our cars was hit by mortar fire with four monitors inside. Luckily the armored car resisted the impact and the occupants were not hurt. These incidents under-

score the fact that the SMM—particularly since the Minsk agreements tasked it with monitoring the ceasefire—is required to undertake what amounts to peacekeeping tasks, even though it is an unarmed civilian mission. Although past OSCE decisions in principle would allow the Organization to conduct peacekeeping operations, the participating States have shown that they are not prepared to mandate a military operation in Ukraine.

Three months after the Minsk agreements, the level of violence is increasing and the risk of further escalation remains high. Convoys of unmarked trucks, heavy weapons, and tanks have been observed in areas controlled by separatists. The so-called line of contact, which was supposed to be based on respective positions as of September 19th, 2014, has been pushed westwards. In this situation, the OSCE faces a number of critical challenges and operational constraints. Since the SMM is a civilian mission, its access and freedom of movement remain restricted not only because of self-imposed security considerations, but also because of obstruction by armed groups in an extremely dynamic and volatile operating environment. Although the Minsk agreements requested the OSCE to take on the task of ceasefire and border monitoring, many open issues remain to be resolved. There has been no agreement among Ukraine, Russia and the separatists on how to take joint decisions or exercise joint control of the

ceasefire once it is established. Similarly, monitoring the 400-kilometer stretch of the border that is beyond control of Ukrainian forces will also require goodwill and agreement on the exact parameters to be followed.

For the first time, the OSCE has used unmanned aerial vehicles (UAVs) as a monitoring tool. Since late October 2014, the SMM has deployed a limited number of civilian UAVs, but within two weeks their routine operation was jeopardized by jamming by highly sophisticated military equipment. On November 2nd, an OSCE UAV was even shot at, leading to a temporary suspension of UAV flights. Defining the mode of operation for civilian, and possibly military, UAVs as monitoring tools is a challenge. Although the OSCE continues to present operational options, these and other challenges can be resolved only through high-level political engagement.

In parallel and complementary to the SMM, the OSCE opened an Observer Mission at two border checkpoints on the Russian side of the Ukraine-Russia border at the end of July 2014. This is the first OSCE presence in Russia since the closure of the OSCE Assistance Group to Chechnya (1995 to 2002). Observers have been deployed at the Russian checkpoints of Gukovo and Donetsk, because the corresponding checkpoints on the Ukrainian side were no longer controlled by Ukrainian authorities but by separatist forces. They can observe and report on traffic through these checkpoints, but not on what is happening in other areas along the border. Because Ukraine subsequently lost control of a number of other border crossing points during the summer, and in response to an increasing presence of heavy weapons and other military equipment in the separatist-controlled areas, the Observer Mission should be allowed to include random patrols along the green border and to cover all other border crossing points taken over by separatist forces since July 2014. (The Observer Mission currently covers only two kilometers of a 400-kilometer border section not controlled by the Ukrainian border services.) But this has not been possible so far.

*In 2014 we entered the worst crisis in European security since the end of the Cold War. It comes on top of a lack of progress in the peaceful settlement of unresolved conflicts, and, within the OSCE context, a growing gap between declared commitments and efforts to ensure their full implementation.*

To make matters worse, even though the Minsk agreements call on the OSCE to monitor the border, the SMM has had no access to the Ukrainian side of the border since late spring. In fact, access is a general problem in separatist-held areas. There are areas of eastern Ukraine accessible to the SMM with escort only, while others are literally no-go areas. When Malaysian Airlines flight MH17 was shot down in July, our monitors were the first to arrive on the scene, but they were refused access several times. The section of the Ukrainian-Russian border "controlled" by the separatists is, for now, out of reach. Our monitors in Luhansk and Donetsk need security guarantees from local commanders in order to perform their monitoring functions, but some of these commanders are simply not engaging. With a stable ceasefire, the situation could possibly be different, but in fact the ceasefire has been continuously violated, whilst the exact procedures for ceasefire monitoring have yet to be agreed upon.

## CURRENT CHALLENGES AND OUTLOOK

In 2014 we entered the worst crisis in European security since the end of the Cold War. It comes on top of a lack of progress in the peaceful settlement of unresolved conflicts, the inability to overcome the impasse over conventional arms control, insufficient unity of action in addressing transnational threats, and, within the OSCE context, a growing gap between declared commitments and efforts to ensure their full implementation.

*The OSCE might also remain the best forum currently available for bridging differences and reaching a common understanding of how security in Europe should be organized.*

Today our focus is on Ukraine, but this crisis has also had an impact on the broader OSCE agenda—in particular on the protracted conflicts in Moldova and Georgia. There has been no round of the 5+2 Transnistria settlement process since June 2014, and none is likely to take place before the end of 2014. Meanwhile, there have been a number of particularly challenging rounds of the Geneva International Discussions on the conflict in Georgia. The recent signing of the so-called Russian-Abkhaz Treaty on Alliance and Strategic Partnership (and a similar agreement under discussion between Russia and South Ossetia) may further aggravate the humanitarian situation, particularly in the Gali district, and further undermine the political process.

All of these developments taken together are increasing instability throughout the OSCE region. We are seeing a hardening of positions that is

further increasing mistrust and deepening divisions. There is a risk that focusing on Ukraine and channeling much of our energy into managing and coordinating our comprehensive response to the crisis will detract from other issues on our agenda that merit attention in their own right. We must make sure that to the best of our abilities this does not happen.

The current situation calls for redoubled efforts among participating States to clarify their respective policies and increase the degree of their compatibility. In my view, moving forward will in particular require a strategic understanding between the EU and Russia on all big issues, including trade, energy, and the economy. This would make it easier for Ukraine to find its own path. But at a time when confrontational policies prevail, including sanctions, constructive engagement becomes very difficult.

Only collective efforts can lead towards stabilization in Ukraine. The full implementation of agreed steps, above all the Minsk agreements, remains indispensable. The OSCE was swift to react to the crisis and has made use of all its available tools and mechanisms. In close co-ordination with other relevant international and regional organizations, the OSCE remains committed to intensifying its efforts in support of

*Moving forward will in particular require a strategic understanding between the EU and Russia on all big issues including trade, energy, and the economy.*

a peaceful settlement. It might also remain the best forum currently available for bridging differences and reaching a common understanding of how security in Europe should be organized. Serbia, as the 2015 OSCE Chairmanship, will have the challenging task of encouraging all sides to engage in this strategic debate.

Before the current crisis erupted, the 40th anniversary of the signing of the 1975 Helsinki Final Act was seen as an opportunity for OSCE participating States to reaffirm their adherence to comprehensive, cooperative, equal, and indivisible security, and to OSCE principles and commitments. These are difficult times, but I sincerely hope that in 2015 we will see a shift away from confrontation and towards a more positive trajectory, eventually leading to a more secure future for Ukraine and the entire OSCE region.