



Konrad Adenauer Stiftung



**Ukrainian Center for Independent
Political Research**

Materials of the Seminar

«The role of the OSCE and the German Chairmanship in the development of the Ukrainian Society»

3 June 2016, Kharkiv, Ukraine

The seminar “The role of the OSCE and the German Chairmanship in Development of the Ukrainian Society” was organized and held on June 3, 2016 in Kharkiv (Ukraine) by the Konrad Adenauer Stiftung Office in Ukraine and the Ukrainian Center for Independent Political Research, in cooperation with the Foundation of Local Democracy (Kharkiv). The Consul General of Germany in Donetsk (Dnipro office) Wolfgang Mössinger provided an overview of the activities of the German OSCE Chairmanship in Ukraine. Participants of the seminar, the Team Leader OSCE SMM Kharkiv Romuald Pichard, the Senior Project Officer of the OSCE Project Co-ordinator in Ukraine Jeffrey Erlich, the Honorary Consul of Germany in Kharkiv Tetiana Gavrysh, the Head of the Department of improving the competitiveness of the region of Kharkiv Region State Administration Viktoriya Beliavtseva, experts of leading think tanks and civil society organizations, journalists and activists, first of all from Kharkiv, Lugansk and Donetsk regions, took part in discussion of the following issues:

- *Priorities of the German Chairmanship of the OSCE – security and focusing on the human dimension.*
- *Ukraine and the OSCE – from resolution of the conflict in Donbas to development of local communities.*
- *Activities of the OSCE SMM – cooperation with Ukrainian communities in order to stabilize the situation in the state.*
- *Implementation of the OSCE projects in Ukraine in 2016 - a way to develop the society.*
- *The OSCE role in protection of human rights, fundamental freedoms and security of journalists.*
- *Involvement of the Ukrainian Civil Society in the implementation of the OSCE priorities.*

In her opening speech, **the Head of the Konrad Adenauer Stiftung Office in Ukraine Gabriele Baumann** noted that as declared by the German Chairmanship the gradual enforcement of the OSCE SMM had been implemented and the number of monitors exceeds now 700. But nevertheless, the SMM monitors are still often denied access to the areas close to the Russian border and uncontrolled by Ukraine, and separatists deactivate the OSCE’s surveillance equipment or shoot down drones. The significant directions of the German Chairmanship are the involvement of the civil society in its priorities and the development of local authorities, the role of media in times of crisis and security of journalists, especially after personal information of thousands of journalists, who reported on the war and human rights abuses, was leaked. That is why journalists should not be threatened or put into danger for informing the public. Journalists and activists

reported about more than 4000 civilians and soldiers who had been illegally detained and tortured in Donbas.

In her welcoming remarks the **Honorary Consul of Germany in Kharkiv Tetiana Gavrysh** said that Kharkiv - the far East of Europe, witnessed a boom of registrations of NGOs during the last three years, and she drew attention to the lack of reforms and absence of the habit to maintain a dialogue in the society.

The **Deputy Director of the International Cooperation Department of the Kharkiv City Council Ivan Nemichev** said that numerous projects are implemented with the support of Germany in Kharkiv and expressed hope for closer cooperation between the OSCE and local authorities.

The **Consul General of Germany in Donetsk (Dnipro office) Wolfgang Mössinger** expressed the opinion that with the assistance of friends and allies Ukraine would come out of this crisis stronger than it entered it. Despite the criticism on the address of the OSCE, the conflict in eastern Ukraine would have developed to a completely different scenario without the OSCE, and involvement of international players allowed to stop the "hot" phase of the conflict much faster. The German Chairmanship tries to solve the conflict comprehensively by strengthening capabilities of the OSCE in maintaining security in Europe and holds a number of discussions on these issues. At the same time, security has to be a basis for implementation of the Minsk agreements, including elections in Donbas. No other country in the post-Soviet area has achieved so much in the development of an active civil society that emphasizes its important role. Germany assists Ukrainian civil society organizations in transforming Ukraine. In eastern Ukraine Berlin supported 14 projects realized by civil society organizations last year, and this year the number is 12.

The **Team Leader OSCE SMMU Kharkiv Romuald Pichard** said that despite the activities of the OSCE SMM throughout all of Ukraine, its main attention was focused on Donetsk and Lugansk regions, where there are more than 600 monitors grouped into two teams. This footprint has restrained the escalation of the conflict. However, according to Mr. Pichard, a ceasefire remains the responsibility of the sides and not the SMM. This year the Mission has received more finance (increase from €88 to €99 million), and plans to have more personal, more bases and more equipment in the conflict zone. From its part, the Mission pays constantly attention to respect the principles of transparency and impartiality. In addition to security issues, the SMM focuses on the human dimension. Therefore, along with reports on the security situation, the Mission reports on the humanitarian situation and human rights violations and facilitates the establishment and continuation of a dialogue, especially in eastern Ukraine.

The **Senior Project Officer of the OSCE Project Co-ordinator in Ukraine Jeffrey Erlich** drew attention to specific features that define the functioning of the OSCE Project Co-ordinator, namely, mandate to plan and implement projects on request from Ukrainian partners, rather limited budget resources (the budget allocated to the OSCE Project Co-ordinator in Ukraine is €3.6 million in 2016), and a general character of the Organization, that in fact doesn't have a legal personality under international law. The OSCE commitments are of non-binding political, not legal nature, and it is not up to Organization to impose them on participating states, but rather the participating states themselves decide on how to act in those cases where such commitments are not met. The priorities of OSCE projects in Ukraine are: assistance to governmental agencies in implementation of reforms and compliance with the OSCE commitments; support of a dialogue between different groups of the society; assistance in overcoming the consequences of the crisis; coordination and joining the efforts with other institutions of the OSCE and international organizations. In the security sphere the OSCE Project Co-ordinator in Ukraine focuses on capacity building of demining agencies, democratic control over the armed forces and assistance to the State border guard service of Ukraine. The human dimension includes a number of projects to promote dialogue, first of all in eastern Ukraine, development of the Civil Society National Strategy, conflict-sensitive journalism and assistance to election processes.

The **Head of the Department of improving the competitiveness of the region of the Kharkiv Region State Administration Viktoriya Beliavtseva** paid attention to the problems of the Kharkiv region. She pointed out that the main factor in maintaining stability in the country was the ability to negotiate at all levels of the state and society, and highlighted the active cooperation between local authorities, international organizations and the civil society, particularly in assisting IDPs, combating corruption, promoting dialogue and other issues.

The **Senior Research Fellow at the National Institute for Strategic Studies Andriy Karakuts** pointed to the limited capacity of the OSCE in general and international monitors in Donbas in particular, which did not allow assessing the situation objectively and solving the conflict. The OSCE SMM, which has the mandate for the whole Ukrainian territory including occupied Crimea, can act more effectively. It should install surveillance cameras not along the contact line but along the uncontrolled part of the Ukrainian-Russian border to control the flow of arms from Russia. The expert warns the OSCE and other international players against Russia's efforts to impose ideas about an "internal Ukrainian" nature of the conflict, harmful confidence to the aggressor's promises to implement the Minsk agreements, and Russia's attempts to impose its vision of the OSCE's role in Ukraine and the security order in Europe, because Russia de-facto blocks the OSCE activities in Ukraine.

The **Associate Professor at the Department of Political Science of the V.N. Karazin Kharkiv National University Yuliya Bidenko** said that the formation of the Ukrainian civil society did not coincide with the activities of Ukrainian elites, since the first was ahead of the second. At the early stages of the conflict in 2014 the society took over some governmental functions to counter military aggression, to support Ukrainian militaries, to solve problems of temporarily displaced people, to resist Russian propaganda, and to create conditions for journalists. Today, the Ukrainian civil society is still immature, because it is partly involved in destructive actions, and the society itself has some features of inconsistency and lack of consensus. Therefore, the German Chairmanship of the OSCE should pay attention to public education and freedom of expression.

During the first section of the seminar "**From the Human Security to Stable Society**" Ukrainian experts, such as Mykola Zamikula (National Institute for Strategic Studies), Volodymyr Streltsov (National University of Civil Protection of Ukraine), Maria Zolkina (Ilko Kucheriv Democratic Initiatives Foundation), as well as representatives of the OSCE and other participants have made the following conclusions:

- Public perception of the OSCE in Ukraine is often ambiguous, distorted and mostly negative;
- OSCE is being under close supervision by the Ukrainian media, since the hope of resolving the Donbas conflict is attached to it;
- Society's attention is focused on the activities of SMM while the work of the OSCE Projects Co-ordinator in Ukraine is often ignored (despite its usefulness in the long-term perspective);
- SMM activities on the observation of election process, respect for freedom of speech and minority rights are also neglected by the population unless it is about eastern Ukrainian regions;
- Ukrainian civil society expects assistance from the OSCE in the implementation of a wide range of projects and reforms aimed at building democracy and the spread of education in the field of human rights, reduction of tensions and the promotion of dialogue.

As a result of the work in the section the following recommendations were presented:

- The image and trust to the OSCE in Ukraine can be improved through a more active position of the OSCE Projects Co-ordinator in the media field;
- The OSCE can help to create effective national instruments in Ukraine, which in the future will help our state to become a real European democracy;

- Ukrainian NGOs should combine their efforts with partners of the OSCE by means of creating associations in the process of seeking support from this organization;
- In order to improve the involvement of NGOs in the projects and initiatives of the OSCE it is necessary to establish a permanent channel of communication between the Ukrainian public sector and this organization (f.e. - to create a special contact line of SMM, whose number should be on cars and uniforms of mission members in order to report facts of their violations during field work);
- Results of OSCE projects in Ukraine should be put to public debate and impartial assessment by experts, civil society leaders and others.

The second section of the seminar "**Freedom of the Media and Protection of Journalists - the Role of the OSCE**" with Lyudmila Kucherenko (Poltava Regional Media Club), Oleksiy Matsuka ("Donbas Reality" program for "Radio Svoboda"), Marina Nikolaenko (ATN TV-channel), the OSCE representatives and other participants has reached the following conclusions:

- Situation with media freedom in Ukraine in 2015 and the first half of 2016 has worsened;
- Journalists from regional media have noted the increase of pressure from the authorities who ask for publication of special materials to improve their image, as well as prevent media representatives from obtaining necessary information;
- The Russian-Ukrainian war, a large number of internally displaced people, problems of their adaptation and integration into the communities require journalists to obtain new knowledge and practical skills;
- In order to overcome the negative attitude of the majority of population (60-70%) in the state-controlled territory of Donbas, joint efforts of Ukrainian government and civil society with the support of international organizations, including the OSCE, are required.

The following proposals were prepared during the work of the second section:

- Organize seminars for Ukrainian journalists on the subject of peace journalism (to translate and publish a special textbook of the Institute for War and Peace Reporting in Ukraine);
- Supplement annual OSCE workshops on facilitating dialogues with master-classes on conflict studies for journalists;
- Prepare Information Codex with the help of the OSCE experts;
- Involve civil society to the process of monitoring the reform of public and community media;
- Continue regular education courses for the media workers on the issues of principles of journalist's security in the areas of armed conflict and basics of first aid;
- Organize the exchange of publications and journalists as well as joint projects of Ukrainian journalistic NGOs between media from the Eastern and Western parts of the state.
- Continue dialogue between the Ukrainian and Russian journalists on the regional level in the form of joint conferences, seminars, forums, press clubs, TV-programs etc.;
- Provide monitoring and operative public disclosure of the facts of pressure on Ukrainian journalists and media, including through the OSCE Representative on freedom of the media;
- Establish regular communication of journalists with representatives of the OSCE in Ukraine.

At the third section of the seminar "**Cooperation of Public Sector with Local Authorities - the Key to the Development in the Region**" such experts as Olga Miroshnyk (Foundation for Local Democracy), Victor Tymoshchuk (Center of Policy and Legal Reform), Valentin Krasnoperov (Strong Communities of Donetsk Region), Volodymyr Shcherbachenko (East-Ukrainian Center for Civic Initiatives), Andriy Chernousov (Kharkiv Institute of Social Researches), representatives of

the OSCE and about 40 other participants have taken part. The main problems of interaction between public sector and authorities were named as:

- Lack of tradition of cooperation between the authorities and the community as well as absence of interaction between communities;
- Constant lack of interaction between the community and the authorities in Donbas where local governments were structures of central powers and political parties, which was one of the reasons for the emergence of separatist ideas;
- Absence of a strategy for regional development;
- Low level of professionalism of officials and the community;
- Lack of control over the use of budget funds and impunity of corruption actions.

The following proposals for further cooperation of civil society with the OSCE in order to improve interaction between the authorities and the public in the field were made:

- Increase public participation in the process of implementation of governmental reforms through the mechanisms of public involvement in the development of government documents by means of working groups;
- Create legal mechanisms for public participation in decision-making: the adoption of laws on public consultation and the self-organization of population; a joint creation of strategies for development; approval of regulations about public attraction to the decision-making at the local level;
- Introduce permanent monitoring of government in terms of transparency of budget funds using (determination of the Index of authorities' transparency);
- Improve security on the local level by means of public control over police, courts, and prosecutor's offices;
- Create a system of lifelong learning for authorities and community, judges, police, MPs, leaders of community and NGOs, to open permanent private training centers;
- Support civic initiatives on the local level (volunteering activities, cultural spaces, local development projects and other community initiatives);
- Support educational projects in the Internet (creation of web-sites and platforms, educational films);
- Create conditions in order to initiate discussion platforms aimed at talking about the reform process, authorities' decisions, and local problems;
- Support local opinion leaders, activists and mediators in order to professionalize the process of non-violent resolution for conflicts in society.

Summing up the discussion, **the moderator of the event, Analyst of the UCIPR Vitalii Martyniuk**, noted that this year the significance of the OSCE was highlighted by not only its involvement into the conflict resolution in eastern Ukraine but its active role in domestic democratic transformations in Ukraine as well as the German Chairmanship's role in the Normandy format.

The seminar demonstrated that the civil society expected the OSCE's assistance in implementing a wide range of projects and reforms aimed at building democracy and protecting human rights, reducing tensions and promoting dialogue between all parties.