

Common security, nuclear risks and the OSCE in the wake of the Ukraine conflict

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Introduction

After the dismantling of major international agreements undertaken mainly by Donald Trump, the aggression of Ukraine by Russia in violation of all treaties and international law, shattered the European security architecture.

The OSCE is one of the few remaining organizations, but it is already very weakened while the conflict in Ukraine is not only not over yet, but even more so while there is no end in sight.

The question of its survival now arises, and in the best case, the question of the role it can and will be able to play in the reconstruction of European security.

One certainty in this strategic institutional chaos is the difficulty of providing precise and solid answers.

Faced with this difficulty and navigating between the darkest pessimism of the OSCE's decay and the optimism of its glorious rebirth, we must strive to construct the most plausible scenarios possible.

To do so, we must first of all rely on history by recalling the role played by the OSCE during the Cold War at the height of the 1980s with its founding document the Helsinki Final Act and its Decalogue. But also on the fact that it remains one of the only remaining multilateral spaces outside the UN for dialogue between Russia and the West and even more so a forum that brings together countries from Vancouver to Vladivostock.

For these reasons, the survival of the OSCE must be ensured, but it remains to be determined how it can be adapted to the new realities.

Response to Question 1

Does the OSCE has an effective role in helping restore peace, conflict resolution and the role of law.

The decision of the Russian government to invade Ukraine violates all the fundamental principles of international law and all the norms of the OSCE dating back to the Helsinki Decalogue.

Unquestionably, the war in the Donbass and the war in Ukraine are considerably weakening the OSCE.

The failure of the Special Monitoring Mission and the lack of visibility and silence of the OSCE during this conflict illustrate this weakening and pose serious problems of legitimacy for this organization. As a result, many experts believe that the OSCE no longer has, and especially will no longer have, a role to play in a possible reconstruction of a European security architecture.

I do not share this opinion, first of all because the very essence of the OSCE's role is to make dialogue possible even among enemies to mitigate instability. This is what we need most at the moment. It remains therefore an organization whose entire purpose remain vital to the preservation of a structured security in Europe.

In this perspective the first important point I would like to make is that Russia, despite its aggression remains a participating state of the OSCE and must remain so. Even if the hope of bringing the current president of Russia to the negotiating table remains low for the moment, Russia will always be indispensable for the construction of European security. One could say, paraphrasing General De Gaulle who said in the 1960s "Russia will drink communism like blotting paper drinks ink", one could say that Russia will drink "Putinism" like blotting paper drinks ink.

In this context the OSCE would have a natural and important role to play to monitor a potential ceasefire or peace agreement in Ukraine and support reconstruction.

In the immediate future, the OSCE could re-launch the Moscow Mechanism created at the instigation of Russia, at the Moscow Conference on the Human Dimension in 1991 "to facilitate resolution of a particular question or problem related to the human dimension". Already the OSCE has been at the origin of a report on violation of international Humanitarian and Human Rights Law War crimes and crimes against humanity committed in Ukraine since the beginning of the conflict. This report by three independent experts investigating as much as possible in both belligerents beyond its role to dismantle disinformation and do justice to the victims will have served to strengthen the expertise and role of the International Criminal Court.

Such initiatives under the Moscow Mechanism could serve to strengthen the role and visibility of the OSCE in the current situation.

However, with Russia's participation reaffirmed, it is clear that in its current state the OSCE as currently structured cannot be a part of rebuilding the European Security Architecture. This will require a reform of its modus operandi and in particular a re-evaluation of the consensus rule.

Finally and most importantly, the OSCE must affirm its role in preserving multilateralism by refusing the establishment of a new Westphalian world order where a small sets of greatpowers, each surrendered by client states, compete for power and influence and impose their decisions on their clients.

It is vital to maintain such multilateral fora, the only ones capable of building cooperative security

With its history, its experience and the participation of countries from the Euro-Atlantic and Euro-Asian areas, including many non-aligned States, the OSCE must assume its role of prevention and conflict management.

But to face this existential crisis and to rebuild European security an innovative thinking will be required.

Response to Question 2

Are there possibilities for progress on nuclear risk reduction and Disarmament at the next NPT conference

To answer this question directly I am very pessimistic about the possibility of a successful outcome of this 10th NPT Revcon. Even more I am very pessimistic about the future of the NPT. After the semi-failure of the 2015 conference, another failure of this conference would be a fatal blow to this organization.

Already, the new arms race of the nuclear states, both quantitative and qualitative, coupled with technological developments blurring in particular the distinction between nuclear and conventional weapons systems, has created an environment favorable to the use of nuclear weapons and tends to substitute doctrines of deterrence with doctrines of persuasion involving offensive use.

But the invasion of Ukraine created the worst political environment for the conference.

The P5 declaration of January 2022 that a nuclear war cannot be won and must never be fought has now been called into question due to Russia's nuclear threats. The last one being to announce the delivery of possibly nuclear missiles to Belarus.

Not only is there now and more than ever discord within the P5, but its subsequent statements will no longer be credible.

Added to this is the dissension between Western states over the Aukus pact.

All this makes it seem unlikely, if not impossible, to reach an agreement in such an environment.

All that can be hoped for is that within the P5 the nuclear-armed states will manage to restore a certain degree of trust and dialogue among themselves.

We can also hope that the non-nuclear countries will take a leap of faith in the ban treaty and make themselves better heard by the nuclear countries within the NPT. In particular by demanding new negative security guarantees.

Ultimately, it is the very existence of the NPT that is in question.