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Introduction

The OSCE Summer Academy 2015 took place in Burg Schlaining – the Peace Castle and the headquarters of the Austrian Study Center for Peace and Conflict Resolution (ASPR). For the past 19 years, the castle, a symbol of peace, conflict resolution and international co-operation, has been the place of training for young diplomats working for the Organization for Security and Co-operation in Europe (OSCE), civil society experts and some academics.

The 19th edition of the Summer Academy was joined by representatives of 13 countries, including Afghanistan, Armenia, Belarus, Bosnia and Herzegovina, Croatia, Georgia, Ireland, Kyrgyzstan, Macedonia, Romania, Russia, Turkey, Turkmenistan and Ukraine. Most of the participants have a rich background in fields of diplomacy, conflict prevention, negotiations, conflict resolution and national missions abroad. Other participants are scholars, representatives of the academia, journalists and students.

This year the whole program of the course could be divided into four main topics: lectures on the activities and functions of the OSCE, multiple workshops, a two-day visit to the headquarters of the OSCE in Vienna, and guest lectures of OSCE staff members on a variety of current topics providing the participants with an in-depth analysis and overview of the main areas of OSCE involvement, as well as following the development and changes within the organization's role in modern history. Social events also played an important role and will be reviewed separately in the report.

Arie Bloed, Director and Moderator of the Summer Academy, was one of the main lecturers. He helped all participants build up a clear understanding of the general structure and underlying processes of the OSCE within the lectures on "Basic Principles of Security and Cooperation (1975-

2015)” – giving a short but comprehensive outline of the history of the organization as well as the evolution of the institution’s essence and its three dimension depending on the changing international political environment; “OSCE organization: Basic Features” – elaborating on the reasoning for the OSCE only having political binding force and relying on consensus when it comes to decision-making; and a talk on “The OSCE Institutional Structure and Budget”, which was seen by many participants as a concluding remark on the lectures about OSCE bureaucratic organization. All of these lectures allowed the students of the Academy to acquire sufficient knowledge about the organization prior to the visit to the OSCE Headquarters in Vienna. Overall, the manner in which Bloed depicts and explains the OSCE has been described by the participants as inspiring; despite the content sometimes being quite hard, all attendees were excited to be in class and were well engaged into discussions.

Three dimensions of the OSCE

In order to understand the basic principles of security and cooperation of the OSCE and its origins one should use as a starting point the Cold War context. Further, Arie Bloed has discussed the subject with the participants by relating to the historical context. The Helsinki Final Act was negotiated in Geneva with the aim to fix the borderlines for the Warsaw Pact countries after the World War II. This is what also made the OSCE different from other organizations, such as NATO, the UN and the EU. The OSCE was created with the intention to have a pan European organization to provide for a peaceful platform and concentrated therefor mostly on the Eastern European countries which were left out of NATO.

However, at the beginning, the participating states had different interests. As for example, the Soviet block was more interested in territorial recognition and economic cooperation, whereas the West had a different agenda and focused mainly on disarmament and the humanitarian situation.

The different agendas generated the 3 dimensions of the OSCE: the political-military dimension, the economic and environmental dimension and the human dimension.

The different agendas and divided interests shaped the structure and the nature of the OSCE system. The Eastern part was more interested in following the traditional model. This is how the Helsinki Final Act came into existence. The Final Act is not an international treaty and has a political binding force, but no legal binding force. On the other hand, as well explained by Arie Bloed the advantage of not following the traditional treaty procedure means immediate entering into force of the international agreement, no ratification being needed. Similarly, the OSCE decisions are not legally binding, but politically binding. However, despite the fact that there is no treaty with legal force, but only a politically binding context, some of the participating states decided to provide legally binding force to some parts of OSCE documents by incorporating them in bilateral treaties. Nonetheless, the OSCE documents, even though not legally binding, are still considered very important because of their achievements on setting the dialogue and the framework conventions. As Arie Bloed highlighted during his lectures, the OSCE is a political process itself.

We further discussed with Arie Bloed the flexible approach of the OSCE and its more effective commitments by comparing them with other legal commitments following the traditional procedure. The main advantage is that after reaching consensus on a political issue, governments become immediately bound. This makes the system of the OSCE not only much more flexible, but also quicker by avoiding the long process of ratification. Additionally, the OSCE has been extremely important in the development of international law by setting international standards.

In turn, as emphasized by Arie Bloed, on the legalization of the OSCE different opinions have been expressed by the participating states. In regard

to the status of the OSCE as an international organization we all agreed that it is not a typical international organization. The OSCE does not follow the classical model, which requires the characteristics: participating states, legally binding statutes, an institutional structure, and a common mission. The OSCE does not have a legal personality or a constituent treaty. Hence, the OSCE is an international organization sui generis. Moreover, it has even a legal status based on bilateral treaties with countries like Austria, Holland and the Ukraine. Furthermore, all features of an international organization are achieved by the OSCE, which has a light institutional structure and a dynamic process, and disposes of a unique flexibility. However, the OSCE is not as much flexible in the bureaucracy process, as it is in its political processes.

The OSCE sets the dialogue platform and facilitates guidance to its participating states, holding far more authority and importance than its non-binding designation would suggest. Having a strictly political nature, the OSCE employs a dynamic process with light institutional structure, low budget and small staff. Its locations are deliberately spread throughout Europe to prevent it from becoming its own entity. Because of the lower salaries and of the maximum term of years allowed to spend at the OSCE, competent people are recruited away. Likewise, this is not a career organization. Consequently OSCE loses institutional memory and experienced staff.

Security

A unique element and the most basic concept for OSCE's function is its comprehensive approach to security, which requires viewing security in a broader sense. The comprehensive security ensures a focus on security issues in all three dimensions, as for example water management in Central Asia, elections observation, HCNM, the OSCE missions or EED. All issues that can be a potential catalyst for conflict are important for security. However, the OSCE will only act upon when there is a threat clearly linked to the security

dimension and according to its mandate only by looking at the general situation and not on the individual cases.

Over the years, OSCE had become increasingly cross-dimensional, but has also kept its structure. The platform provided by the OSCE for co-operative security can be observed in its key features, such as decision-making, the lack of sanctions and enforcement action, which makes it a voluntary co-operation. Furthermore, Arie Bloed explained that the OSCE intends to exercise a soft mandate, especially when it comes to the political-military dimension, which has its limitations when it comes to making use of it. Consequently, an enforcement action is not within the OSCE powers. Moreover, the OSCE keeps a low profile when engaging in conflict prevention, which is sometimes the case in the OSCE work when parties think they found a solution without having an intermediary.

Equality of member states

Another important feature of the OSCE is the equality among all participating states so that each state has one vote. After the Cold War small countries wanted to have equal power as the more powerful countries. In this context the OSCE decided to give countries equal rights that concluded in reaching decisions by consensus and not by majority. However, highlighted was that consensus is formulated as an "absence of an objection" which does not mean that everyone is happy with the decision. In order to avoid the possibility of block a decision by a participant state the OSCE has further mechanisms to avoid such situations. First, there is consensus minus one (C-1) that has been used once and means reaching a consensus without the concerned country. Nevertheless this mechanism can be used only in case of serious violation of human rights. Second, there is consensus minus two (C-2), which requires that countries submit their dispute to conciliation. C-2 has never been used because participating states worry that this could be later used as a precedent.

The aim of the OSCE has been discussed with the participants for several times and the result was that the main role of the OSCE is to establish partners for co-operation. However, another finding of the group was that there is not a clear policy behind it and the OSCE has a broad geographical scope with its 57 participating states from Eurasia and North America. Recently, Mongolia has joined the OSCE, which has no tie to Europe (though is a country from Central Asia) and this again states the broad geographical scope of the OSCE. Moreover, all former Soviet republics in Asia are received in the organisation, based on their historical title, as being part of the Soviet Union, which was in the OSCE.

Third Human Dimension

Arie Bloed also held lectures about the third human dimension of the OSCE. This dimension is not limited to human rights; it is a much more comprehensive concept. It comprises the fundamental freedoms, rule of law, democratic institutions, gender and protection of minorities, of course with a special focus on security. Setting the agenda of the third dimension is being determined by the security needs. The most important areas in the Human Dimension are election observation, protection of national minorities, democracy and rule of law, free media, trafficking (smuggling). However, the nature of the OSCE is a political one and its aim is to build a framework and infrastructure. Its focus is on legislation, institutions, and structure without going to individual cases. The OSCE does not have a mandate for individual cases.

A consequence of this unique focus is the lack of a court on human rights. Moreover, this is what makes the OSCE so unique and differentiates it from all other international organizations. As for example the UN, which provides a mechanism to launch an individual complaint. Anyhow, an individual complaint can only be filed as a last resort at the Human Rights Council. Yet, the UN is a more traditional organization and needs the

recognition of jurisdiction of the Human Rights Council through ratification of the International Covenant on Civil and Political Rights. Such a situation would not be possible at the OSCE, which has a political nature concentrated mainly on flexibility.

After several discussions with Arie Bloed, the participants have agreed that the legalization of the human dimension would make the OSCE similar to all other international organizations, which have to deal with long periods of time in their processes. Also, OSCE's community of values has an intrusive character, it demands democratic behavior from its participating states. The tool used by the OSCE to promote human security is setting the platform for the national parliamentary decisions.

Additionally, throughout the lectures the OSCE has been observed more as a "catalyst" and its unique approach can be observed through its field missions. The very limited staff of the OSCE spends time on a variety of issues, which do not always have security relevance. The nature of the OSCE creates politically binding agreements without legal means of enforcement. When creating norms every country is bound by all commitments and reservations ratified. However, legal norms are then subject to interpretation, but this is not the case at the OSCE where agreements become politically binding through consensus of its participating states. The political consensus determines how the agreements will then be interpreted. Additionally, making reservations for the OSCE agreements produces no legal effect on the participating states. The flexible character of the OSCE has been established in order to have a balance between the participating states and to bring them to a consensus despite their differences in cultures and opinions.

Moreover, the OSCE focuses towards neutrality of norms in order for the countries to hold on to the particularities of their cultures. Implementing the same standards can become a controversial process depending on the social-cultural context of every country.

The role of Implementation

Monitoring the Human Dimension: The most important features of the human dimension's monitoring process, are the different measures of implementation, which change every year, and the implementation meetings. The implementation meeting is the biggest monitoring body and a similar monitoring role cannot be found in the UN or the European Union. The Human Dimension Implementation Meeting (HDIM) and Review Conference is the biggest human rights meeting we have in Europe. However, it only has a monitoring role through delegations with a determined agenda by the Permanent Council, without an independent evaluator.

The Moscow Mechanism establishes a roster of experts or rapporteurs and allows governments to raise issues with other governments. They draft recommendations that will be sent to the Permanent Council, which is the body to bring the issues to discussion. However, the aim is to establish the dialogue between the participating states. Even if there is no binding force the implementation can be achieved through national legislation or administrative measures.

In order to participate in the process there is also the possibility of registration for NGOs. The participating NGOs are evaluating on their own judgments and expressing their positions to it. Moreover, the ODIHR, having an independent position, is publishing before the meetings their own reports with country specific deficiencies.

HCNM does monitoring for conflict prevention, and the main power of the High Commissioner is to issue early warnings. In effect an early warning cannot do much in stopping the conflict from getting out of hand if everyone already finds about it. Nonetheless, the mandate of the High Commissioner only covers the period before the conflict emerges.

Minority Rights

The Minority Rights are very important in the OSCE because of their security dimension, which also gives to reason of existence for the High Commissioner. He is not an ombudsman, but rather a conflict prevention instrument. There is a special focus on minority rights, and human rights are not considered as a sufficient tool of protection. This approach started back in 1990 after which Europe was confronted with ethnic issues because of the war in former Yugoslavia and the international community had no tools to address the situation. At the beginning minority rights were not very popular after the WWII and taking into account the history of the Sudetenland region where Hitler used this concept of minority rights to expand his empire. However, in 1966 has been established the international covenant on civil and legal rights, which determined that non-discrimination is not enough. Non-discrimination did not acknowledge the weakness of a particular group which would need special action to ensure that they will not stay that way.

The main aim of the international regime of minority rights is to promote security by offering the possibility of "integration", a control mechanism to protect national identity against assimilation, which is or often has been promoted by governments. It is important to offer the possibility to preserve their identity to those who want it. The character of the minority rights regime is to offer a balance of rights and duties, which are not legal obligations, but intends to promote integration in the society and the right to participate in all social, political, and economic aspects of civil life. However, the Copenhagen Document provides more principles than "rights". Moreover, Art. 34 states that OSCE "will endeavor to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the state concerned, have adequate opportunities for instruction of their mother tongue or in their mother tongue wherever possible and

wherever necessary for its use before political authorities.” This language is open to interpretation. There are no explicit rights, but the article talks about needs and not about obligations. However, having the principles to offer protection implies having responsibilities, but not necessarily obligations or commitments. The vagueness of the Copenhagen Document has been intended to be so because governments tend to be reticent when it comes to minority rights considering that they are only there for the benefit of minorities. This is not true since minority rights also benefit the majority. Moreover, the minority rights situation is different in every country which also calls for general principles only.

Nonetheless, the OSCE nature is mainly political and the relevant texts are legally binding only in some participating states. Some of the countries prefer to talk more about the Framework because they do not want to follow the traditional doctrine of having everything written down. On the other side, following a particular practice though the years will become customary law after some time.

An important feature of minority rights in the OSCE is that they are in principle politically binding. We say in principle because in some cases they got legally binding force through bilateral co-operation treaties, which can later also be invoked in court. The three major categories of minority rights are identity rights, participation rights, and special measures. Special measures can provoke some risks since they can become discriminatory for the others. However, there is no precise definition of a national minority since there are more than just linguistic, cultural, and ethnic groups. This brings us back to the flexible characteristic of the OSCE.

Simulation on minority rights

First of all, Bloed explained the main mechanisms and reasons behind OSCE’s involvement in the third dimension. In the course of his lecture, Bloed

reiterated on the monitoring mechanisms and procedures, relations with the Council of Europe, and the co-operative nature of monitoring. In a follow-up session, Bloed concentrated specifically on the issues surrounding the problems arising around the problem of minority rights within the OSCE. The same topic was later discussed and played out in one of the very active simulation of the OSCE Permanent Council session, where the participants were asked to solve a minority conflict between two non-existing countries. The simulation was a success thanks to the wise orientation from Arie Bloed and Walter Kemp. As a result, all "states" came to a consensus and created a peaceful resolution to solve the fictional conflict in a relatively short time.

Bloed is one of the leaders who encourage people to speak their minds. In order to have the participants express their opinion for the last time at the Academy, Bloed proposed three intriguing "Selected OSCE topics" to be solved within a workshop. The topics were Trafficking and Smuggling, Leadership in the OSCE in the OSCE and Decision-Making Mechanisms of the OSCE. The group who were examining the first topic, described the importance of solving the problem of trafficking and underlined the importance and necessity of such missions, as with the size of the issue nowadays there is a clear and vital role of the OSCE in solving and monitoring such activities.

The second group was examining the leadership within the OSCE. Here, the main ideas were in changing the rotation period of the Chair-in-Office, but, after careful review of the responsibilities and time constraints, participants saw that annual rotation is the best possibility.

The group, who elaborated on the topic of decision-making mechanisms at the OSCE, came to the conclusion that consensus is indeed the best solution to resolving conflicts and making decisions in the OSCE, as it respects the fundamental principles of the organization and the international character of its presence. Since the OSCE seeks to create an equal and co-

operative relationship between countries, the only way to ensure it is by allowing every participating state to take part in creating solutions on critical matters – and no other approach to collective security would allow that, especially taking into consideration the politically binding effect of the intergovernmental institution.

Intercultural awareness

Another workshop in the course of the Summer Academy was held by Andrea Kienle on “Communication and Interaction in Multi-National Teams”. The session was opened with a statement by Lord Regon, which explained the concept of culture by saying it’s “a combination of values and beliefs, which you learn and are able to adjust to”. Participants discussed the importance and influence of stereotypes, differences in approaching tasks and intercultural diversity. Following the discussion, Kiene played out a few experiential exercises, making the participants aware of the approaches to problem-solving, which varied depending on the cultural background of every participant in particular. The first game was to decide whether it is just for a friend to expect one to lie for him or her in case of a minor car accident with a pedestrian because of slightly breaking the speeding limit. Here, people came up with very curious explanations of their position (which varied from a definite “yes” to a positive “no”). What also came into account is that culture played a big role in the decision-making – as the definition of friendship has different understanding from one nationality to another. The second game was a simulation where in a very short period of time participants had to decide which people from a list of ten possibilities were to be evacuated from an OSCE field operation after a breakout of violence. Here, it became quite clear that cultural values also vary for everyone. In the end, people had to make a group decision – which, in the case, came to a quite quick consensus. All the exercises were created not in order to point out the differences between one or the other participant, but more to help them realize and fill in

the gaps in their intercultural understanding. This session was a great team-building example, where people co-operated with each other to come to a fair and equally comfortable decision.

Mediation, Negotiation and Diplomacy

Wilbur Perlot from the Netherlands Institute of International Relations Clingendael carried out a workshop on the topic of "Mediation, Negotiation and Diplomacy". First of all, Perlot elaborated on the main components and mechanism of holding a successful negotiations session. This was extremely useful due to the fact that such knowledge is always at hand for young diplomats. The participants got a basic understand of the process of building up a strategy of communication, information exchange, and using appropriate methods of psychological influence. After a good deal of theory, there was a simulation game about a crocodile river, a broken-hearted girl and a few men she met on her way to despair. The goal of the game was in placing the characters of the story on a scale from the most positive ones to the most negative. Here, decisions would vary not only depending on the cultural background of participants, but sometimes on the criteria of judgment. For example, some were simply analyzing the behavior of the characters, some evaluated their personal input on the story line, some chose to judge by the personal gains of each personage in the story. This was an extremely deep and sometimes even disturbing experience, as in some instances it became very clear that one can never predict the reaction of his opponent or partner. Thus, the training session was inspiring and contradictory.

Excursion to the headquarters of OSCE

One of the main highlights of the summer academy no doubt was the visit to the OSCE headquarters in the Hofburg palace. This year was the first time when it was a two day long program, including a visit of the Permanent

Council's session and meeting with the heads of some of the most prominent delegations to the OSCE.

The visit to Hofburg started with a short statement from Cathie Burton, the head of the communications and media relations section, who gave the participants of the academy an introduction to the functioning of the organization, its main departments and division. After that Ambassador Marcel Pesko held a welcoming speech, outlining the main ideas and projects of the OSCE. During the scheduled visit to the Permanent Council, the participants of the academy enjoyed the chance to see how the body is organized. The summer academy had the honor to witness the statement of the Foreign minister of Macedonia, H.E. Nicola Poposki on the recent events taking place in the country. After the permanent council, the group went to meet Ambassador Christian Strohal, the representative of the Austrian delegation to the OSCE, who spoke about the function of the ODIHR and election observation missions of the OSCE. Needless to say, the main goal of election observation missions of the OSCE is in ensuring fair and democratic elections in all OSCE participating states by creating a bond between the voters, politicians and administration of the elections. Some of the participants of the summer academy questioned the fact that the election process is mostly monitored in states "East of Vienna", whilst less frequently visiting western states.

The following meeting was with a panel of representatives of the economic and environmental dimensions of the OSCE: with Teresa Albano and Leonid Kalashnyk. There were high expectations for the panel, but the speakers chose only to outline the structure and organization of the division, instead of concentrating on its projects, from this point of view, many speakers did not share any interesting, day-to-day knowledge with the participants of the academy, but instead describes the three "baskets" of the OSCE. From this perspective, it would be much more educational if speakers

could share their own experience and talk a little bit about the work on the ground, instead of concentrating on the bureaucratic organization of OSCE. For example, it should be interesting to learn what exactly a presidency is doing or has done within the environmental and economic fields. During its term, the Swiss chairmanship announced their main goal in limitation of disasters, and, yet, the participants of the academy didn't learn anything about that.

Later in the afternoon Sanja Milinkovic, the Deputy Permanent Representative of the Serbian Chairmanship of the OSCE, gave a speech on the main goals and tasks of this year's Chairmanship. The Ambassador was joined by the leader of the youth ambassadors to the OSCE, Milena Stosic, to discuss the problems of youth involvement in the decision making process of the OSCE, as well as described the plans of the younger generation to gain influence and a certain place within the Organization. As Stosic explained, youth is capable of bringing a fresh view to the table of negotiations, as well as use modern ways of communication to introduce the public to OSCE's.

One of the most anticipated panels was the one where representatives of the delegations of Germany, Russia, Serbia and Ukraine were asked to share their thoughts on the crisis in Ukraine, its impacts on the work of the Permanent Council and the OSCE as a whole. The Academy's participants had many questions for the panel, as this was a great opportunity to clarify the countries' positions and input into the resolution of the Ukrainian conflict. The discussions were somewhat heated and left all participants talking for several hours even after the panel had been concluded.

Another well-discussed topic was the Freedom of the Media, introduced by Gunnar Vrang, the senior advisor to the Representative to the Freedom of the Media. The speaker informed the audience of the importance of safeguarding freedom of speech, life of journalists, ensuring pluralism of the media and protection of confidential sources. Participants of the discussion

were eager to learn about the difference of treatment of journalists and independent bloggers, as there are often overlaps of interest and liability. Overall, the conclusion was made that in terms of freedom of the media, the OSCE now is mostly involved with overseeing the mechanisms and tendencies in the media war between the West and Russia in regard of the Ukrainian conflict – the issues of propaganda, misinformation and misinterpretation of facts and figures.

Politico-Military Dimension

The OSCE has a comprehensive approach to security that encompasses politico-military, economic and environmental, and human aspects. It therefore addresses a wide range of security-related concerns, including arms control, confidence- and security-building measures, human rights, national minorities, democratization, policing strategies, counter-terrorism and economic and environmental activities.

The OSCE's core objectives have been presented through its three dimensions. First was brought to our attention the politico-military dimension. Its purpose has been introduced as intent to continue the progress on establishing confidence and security building measures, and to enhance the conflict prevention capacity of the OSCE.

The first dimension of the OSCE was first introduced to the participants of the summer academy by Matthew Geertsen, who drew out a clear structure of the states' co-operation and security measures and goals in the topic.

Ambassador Adam Kobieracki, the Director of the Conflict Prevention Center at the OSCE, has emphasized especially the role of the use of the politico-military dimension in the current crises.

Moreover, in the foreground, Ambassador Kobieracki has explained the challenges of the OSCE monitoring missions. The difficulty of the monitoring

mission of the political conflict in Ukraine consists of its nature as a civilian mission, which however employs staff with a military background.

Additionally, in regard to the complaints about the Minsk process and the lack of conflict resolution, the OSCE's involvement and its efforts to prevent or solve frozen conflicts the Ambassador explained the work and the role of the OSCE to the participants in the Summer Academy. Despite the fact that the OSCE has nowadays a more comprehensive politico-military dimension, comprising more rules, norms and standards, its aim is only to offer a framework for negotiations and the suitable instruments. If the participating countries decide not to respect those, since the Helsinki Dialogue is not being implemented, the organization is not in the position to ensure a definitive solution to the conflicts. The OSCE's philosophy being re-emphasized as a forum for dialogue, where the 57 participating states are avoiding pointing fingers. The main role of the OSCE consists in facilitating the communication process between them.

This being said, Ambassador Kobieracki further expressed its opinion on the question whether there is a reason to celebrate the Helsinki +40 or if a new institution with a different structure would be more effective. Its main concern was expressed in regard to the OSCE principles, which are not being legally binding. According to his argumentation, the only need would be to establish rules that will also be implemented by the participating states. Following this conception, the Ukrainian crisis could be a new game changer in the work and role of the OSCE.

Arms-Control-Assignment

In regard to the arms control assignment of the OSCE, several issues have been presented. Firstly, the biggest OSCE achievement, the Treaty on Conventional Armed Forces does not exist anymore in Europe. However, building confidence measures still represent an important work of the OSCE,

but through a softer policy of arms control, which is to be found in the Vienna Document.

Secondly, the OSCE deals with arms control even if there is not a functional regime in place for the matter. This also represents an issue in the Ukraine conflict, where the mechanism of building confidence measures has been activated and implemented, but de facto this mechanism did not work because of the restrictions on exchanging military information (no access to Crimea has been allowed). However, ensuring better performance in the exchange of information in the Ukraine conflict is one of the OSCE's future priorities. Furthermore, the OSCE will have to deal with the challenge of establishing a "higher level of security".

Transnational Threats

Another important subject in the context of the politico-military dimension was 'Transnational Threats including terrorism and border control', which was introduced by Alexey Lyzhenkov, the director of the Transnational Threats department. During the discussion the speaker exposed some of the main problems the OSCE is facing when dealing with this topic. The lack of clear-cut data is for example the major sensitive aspect in combating terrorism. However, the mandate of his department is reduced to creating capacity building measures, training and organizing conferences in order to bring awareness and exchange lessons learned. Additionally, the OSCE mandate in border control issues is to provide the framework for co-operation and not to oversee the borders, which is again one of the principal misunderstandings in the Ukraine conflict.

In fighting radicalization and recruitment for terrorist activities, the political support from the governmental point of view is there. Nonetheless, the mass-media and the social issues are more complex topics to be addressed. As suggested by the OSCE speaker there is the need for a

discussion on a Code of Conduct in regard to the matter of terrorism. Moreover, avoiding financing of terrorism might be the biggest issues, which is difficult to keep under control. Furthermore, establishing a strategy for a clear-cut line would be very helpful in this matter for the next 2-3 years. As to the border security issue in Ukraine, the main challenge seems to be the establishment of a common understanding on the topic of terrorist activities in order to prepare a project. So far there is a pilot project agreed with Kiev, but this is also needed with other regions of the country.

As later stated by other speakers, the border between the conflicting areas and the other peaceful Ukrainian territories is not under the control and proper supervision of the OSCE. The only assigned possibility to the OSCE has been monitoring the border from the Ukrainian side, and that from a distance of a couple of meters.

Police as link between the communities and the government

The following discussion was on the OSCE police-related activities with Armar Jansson. As emphasized by the speaker “on security related issues police is the primary link between the government and the communities” and the primary role of the police is protection of civilians and protecting human rights. The role of its department is to provide support and advice to the OSCE Secretary General and the Chairmanship-in-Office (presently Serbia; as of 2016 Germany), to give expert advice and on-site assistance, to promote co-operation among participating states in countering trans-national threats, and to provide support to the OSCE field operations. The UN SC Resolution 2185 from November 2014 highlights the importance of capacity building of the police in host countries in addressing organized crime. Moreover, the present OSCE mandate for the matter refers to capacity building, institution building, training, sharing information, assessment, and exchanging best practices. However, as it has been explained to us, police intervention is not restricted to capacity building, but it can also address various criminal issues.

In addition, the involvement of civil society would be very helpful in building confidence, especially in the context of the skepticism of the public opinion to police related activities. Armar Jansson ended his presentation by highlighting the current priorities and the urgent need of reform.

All speakers within the framework of the first dimension were extremely interesting. They tried appealing to both current events and those from history, building up a better understanding of the unwrapping events in the world. Of course, speaking of political and military interests and aims of states, it is very difficult to distinguish between what is right and what is wrong, but the speakers are there to introduce the participants to another point of view or share interesting details, and not to lash out on representatives of the opposing point of view.

A very good example of such a balanced speaker was Thomas Greminger, representative of the Swiss delegation to the OSCE (the former Chair in Office and current member of the Troika). His speech was divided into two main parts: the Swiss chairmanship last year and involvement of the OSCE in the Ukrainian conflict. Here, the speaker not only shared a lot of insight on the happenings of today, but also gave a detailed timeline for the OSCE activities during the beginning of the crisis in Ukraine.

Gender

Gender issues also play a big role within the work of the OSCE. Since women are victims of all types of crime, including gender discrimination and unequal treatment, the OSCE has included to its framework several goals to ensure a safe and rewarding. Taking into consideration the current struggles of women worldwide to make a respectful and prosperous living, the OSCE's Agenda on the issue is extremely timely and thoughtful. An example of what the OSCE could do for women in the world was given by Blanka Bellak and

Susanne Brezina, who both showed the participants how important it is to act now in order to ensure a gender equal and fair future.

Human Trafficking

One of the most expected topics on the OSCE was the issue on human trafficking. Alfred Kueppers, the public information officer from the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, presented his subject to the participants of the Summer Academy. The discussion covered the modern-day human trafficking activities and together with the speaker we have assessed how to qualify an activity as a human trafficking violation. According to Art. 3 of the UN Human Trafficking Protocol, the most important feature of the legal definition is the use of force, or deception for the purpose of exploitation. Throughout the lecture the participants found out that nowadays it is also human trafficking if the person concerned receives a salary in exchange for his/her work, which is however below the decent wage in that particular location. Despite of the much needed assistance and proper reglementation in such a sensitive matter, the OSCE multi-national team of anti-trafficking experts does not have a very comprehensive mandate and its role is to ensure a co-operating role with the participating states and other international organizations as well as relevant actors from civil society, in order to offer assistance and raise public awareness in combating trafficking of human beings.

Legal Status of the OSCE

The Head of the legal department, Lisa Tabassi, held the next lecture and further explained the OSCE legal status to the participants. According to the offered legal explanations, as we already know, the OSCE is not a treaty-based international organization. Furthermore, the decisions of the OSCE are not legally binding under the Helsinki Act of 1975 "which is not eligible for

registration under Art. 102 of the UN Charter". Consequently, such a treaty cannot be invoked and there is no legal recourse or remedy in case of non-compliance with the treaty. Moreover, the wording of the 2006 Rules of Procedure does not constitute a legal commitment. The OSCE clearly states that its intention is not to create legally binding commitments; the OSCE is "authorized to take decisions and adopt documents having a politically binding character".

The purpose of having legal status drives you to international personality, which means that you become a subject of international law, which is distinct from the countries that contribute to it, and you can conclude bilateral or multilateral treaties with other subjects of international law. However, under the Austrian federal law the OSCE has a legal personality if it concludes an agreement in Vienna. Moreover, the main formula has been used in the case of the Special Monitoring Mission to Ukraine, which has legal personality under the Ukrainian law. However, there is not much predictability in such a situation and the mission depends on the will of the national parliament.

The advantages of having legal personality also relate to the possibility of enabling an international organisation to function independently in the pursuit of its mandate by offering privileges and immunities to its employed staff. Nonetheless, by concluding bilateral treaties with the receiving state, the benefit is that there should be little distinction between the foreign staff and the national staff of the OSCE missions. On the other hand, the OSCE has a duty of care in respect to the employed staff according to its Rules and Regulations, so the OSCE is expected to protect its staff in the field. However, the OSCE is restricted to the bilateral agreement concluded with the receiving state. Consequently, the OSCE international staff will remain in principle under the regime of their national state.

Social Events

After the long hours of lectures and workshops, the administration of the academy also provided participants with entertainment, such as visits to Heurigen, excursions and other types of social events. Excursions included a guided visit through the castle of Schlaining, which is a beautiful historic sight with a peace exposition spread out through its halls and towers. The museum is a true celebration of peace, making anyone stepping foot on its grounds think of how treasured peace should be and how defied must be war.

Another excursion was to the Peace Library in the Synagogue at Schlaining. This is also a wonderful place to visit, as it hosts so many books on peace. It is a blessing to know such places exist and are created today, when peace is so fragile.

Roundup

Over all, the OSCE Summer Academy is a wonderful possibility to have not just a glimpse on the work of the organization, but reach out into its heart and feel it beating. The two weeks at Stadtschlaining have given every participant of the Academy food for thought for many months ahead, as well as priceless experience and knowledge, which is impossible to obtain elsewhere.