

"This study reflects deep concerns about the challenges facing the international community, especially in the context of the Russian Federation's participation in the Organization for Security and Cooperation in Europe. By analyzing the historical and legal basis of this participation, we aim to identify and discuss the key aspects that determine the legitimacy and compliance of Russia's actions with the principles and commitments undertaken by OSCE participating states.

The preamble to the Final Act of the Conference on Security and Cooperation in Europe, held in Helsinki in 1975, lists the countries whose High Representatives participated in the event from July 3, 1973, to July 21, 1975. Among these countries were, in particular, the Soviet Union, Czechoslovakia, and Yugoslavia.

Among other things, the participants of the Meeting agreed to have their experts meet to continue the process begun at the Meeting. It was agreed that the Rules of Procedure, working methods and cost-sharing principles used during the Meeting would be applied, with appropriate modifications, to future meetings as provided for in the said provisions.

Thus, this gives us a tool for an objective assessment of the number of participating states and their list, since this provision established a rule that each such subsequent meeting (its protocol) would be accompanied by a list of participating states and the size of the distribution of their participation in financing common costs. Later, thanks to this feature, it became possible to trace the fate of the seats in the OSCE for some of the countries that signed the Final Act, in particular, the appearance of certain countries in the list of Czech Republic and Slovakia, etc.

Unlike the UN, where the Ukrainian SSR and the BSSR were present as member states from the moment of its foundation, the Soviet Union is represented in the OSCE by only one member, the USSR. The Final Act and subsequent documents introduced the concept of "OSCE participating state", which is described in detail in the current Rules of Procedure of the Organization (Document MC.DOC/1/06 of November 01, 2006).

Later, Ms. Catherine Lalumière's presentation (Document CSCE/SP/VR.4, pp. 31-34) described the process of acquiring the status of a participating state for the Eastern European countries in 1991. Changes in the composition of the signatory countries are reflected, in particular, in the Charter of Paris for a New Europe, where the Preamble no longer mentions Czechoslovakia, but the Czech and Slovak Federal Republics, while the USSR and Yugoslavia are still present. Section III, paragraph 2, "Financial Provisions of the OSCE and Cost-Effectiveness", provides a complete list of participating states with the amount of their contributions, including the USSR (9.1 percent), the Czech and Slovak Federal Republics (2.1 percent), Yugoslavia (0.81 percent).

The Preamble to the Copenhagen Meeting of the OSCE Human Dimension Conference, held on June 29, 1990 in Copenhagen, mentions the German Democratic Republic for the last time and still includes the USSR.

In the document "Moscow Meeting of the Conference on the Human Dimension of the CSCE", dated October 3, 1991, the Preamble contains a list of participating states. It also

contains a provision welcoming the decision taken at the Additional Ministerial Meeting of the representatives of the participating states in Moscow on September 10, 1991, of "the admission as participating States of Estonia, Latvia and Lithuania". However, neither the text of this document nor the address to the participants from the then President Mikhail Gorbachev referred to any replacement of the USSR as a participating state.

In Section XII (Administrative Decisions) of the 1992 Helsinki Document, entitled "The Challenges of Change" (Helsinki, July 10, 1992), a new cost-sharing was included. This text already mentioned countries that emerged from the former Soviet Union (such as Ukraine, the Russian Federation, etc.), as well as countries that emerged after the breakup of Yugoslavia (e.g., Bosnia and Herzegovina). However, the document does not mention the decisions on the basis of which these countries became participants. Interestingly, the percentage of expenditures that used to be allocated to the USSR has been transferred to the Russian Federation (9%).

The materials of the 1992 Helsinki meeting, in particular at the 22nd plenary session of July 8, 1992, already mention the Russian Federation, Ukraine, Moldova and other countries. It is important to note that during this meeting, according to the Protocol, the representatives of Ukraine declared their recognition and intention to honor the obligations of the former USSR in the amount of 16.4%, which generally corresponds to the agreements on the division of assets and liabilities of the former USSR.

The text of the OSCE Astana Commemorative Declaration, adopted on December 3, 2010 in Astana, recognizes the existence of 56 OSCE member states.

Participation of the Russian Federation in the OSCE:

The nature of the purpose and content of the Russian Federation's participation in the OSCE can be assessed through the text of the speech of the head of the Russian Federation delegation K.Y. Gavrillov of December 7, 2022 in Vienna, dedicated to the topic "on the special military operation to denazify and demilitarize Ukraine". The website of the Ministry of Foreign Affairs of the Russian Federation openly declares the goal of increasing its influence through participation in the OSCE. It also states that the Russian Federation considers itself "the continuator state of the USSR" and one of the initiators of the Helsinki process, the founder of the CSCE/OSCE and the developer of the 1975 Final Act.

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In view of this, it is proposed to study the existing array of documents, to seek an official response and position from the OSCE itself on the legality and grounds for the Russian Federation's membership, and in case of revealing the fact of obtaining membership through the annexation of the USSR's seat in the UN and OSCE without an appropriate procedure, to initiate consideration by the members of the organization of the termination of the Russian Federation's participation in its work.

In connection with the above, it is proposed to conduct a detailed study of the existing set of documents and apply to the OSCE for an official response and position on the legitimacy and grounds for membership of the Russian Federation. If it is found that the membership was obtained through the illegal annexation of the USSR's seat in the OSCE (as was done with the UN seat) without due process, the expulsion of the Russian Federation from this respected organization should be initiated."