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Challenging 'Impartiality' of the OSCE Mission to Ukraine

A Content Analysis of Interpretative Statements Made by Participating States

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Abstract

States have different ties to warring parties in armed conflict. *Bias*, as in being closer to one conflict side, is a known factor that shapes mediation processes. However, its particular role has been insufficiently studied. This study assesses bias as a significant influence on mediation in Ukraine. Armed conflict in Ukraine has been mediated by different actors, among which the Organization for Security and Co-operation in Europe (OSCE) launched a Special Monitoring Mission (SMM) to support mediation through impartial fact-reporting. This thesis examines the OSCE's declared impartiality. This is done through a content analysis of interpretative statements by OSCE states about the SMM's mandate and extensions. These 45 statements cover the conflict years 2014 to 2021 and form the material for the analysis. The study's findings show that states' interpretative statements hold bias in favour and disfavour of warring parties. Particularly favour for Ukraine and disfavour of Russia is apparent. Therefore, the OSCE does not speak with one 'impartial' voice but rather harbours different perspectives that potentially influence the organisation's mediation efforts. The findings have implications for scholars and practitioners of international mediation alike.

Keywords: Special Monitoring Mission, Ukraine, Mediation, Impartiality, Bias

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List of Abbreviations

EU	European Union
IO	Intergovernmental Organisation
IL	International Law
MAXQDA	Software for Qualitative Data Analysis, begins with the name of the sociologist Max Weber and ends with the abbreviation for Qualitative Data Analysis (QDA)
OSCE	Organization for Security and Co-operation in Europe
PC	Permanent Council (of the OSCE)
QlCA	Qualitative Content Analysis
SMM	Special Monitoring Mission to Ukraine
TCG	Trilateral Contact Group
UK	United Kingdom
UN	United Nations
UNSC	United Nations Security Council
US	United States

1 Introduction

In February 2022, Russia invaded Ukraine despite numerous mediation efforts to settle the armed conflict since 2014. More than 13,000 people, including 3000 civilians, have died within the first five conflict years, mainly caused by shelling and mines (Oberson 2021: 49). A variety of factors might explain the failure of international mediation for the armed conflict in Ukraine and the new levels of violence that have erupted since. Mediation processes and outcome are influenced by contextual, behavioural and mediator's characteristics (Vuković 2011: 114). The focus in this thesis is on the latter. Mediator characteristics encompass interests, leverage, and impartiality of the mediator.

Among mediators in the armed conflict in Ukraine is the Organization for Security and Cooperation in Europe (OSCE), an intergovernmental organisation (IO) that works for democracy, stability, and peace. The OSCE's involvement in Ukraine is supported by a monitoring mission on the ground. Exemplified by the OSCE's Special Monitoring Mission to Ukraine (SMM) between 2014 and 2021, mediator characteristics are explored in this thesis. Since the OSCE highlights impartiality as a founding principle that governs the SMM, this aspect of mediator characteristics is examined. Impartiality is challenged when participating states[1] express bias in favour or disfavour of conflict parties. Impartiality is also challenged when facts are reported with blame to conflict parties, according to the OSCE (2021: 47). *Impartiality* in this thesis is understood as "freedom from favouritism and bias" (Stenner 2016: 268), and *bias* describes that "the mediator is closer to one side than the other" (Arad & Carnevale 1994: 426). Taking 'sides' refers to expressing support for one of the warring parties in armed conflict.

[1] Rather than member states, the OSCE uses the term 'participating state', which this study follows. Participating states refer to all states that participate in the OSCE and not specifically to states that provide monitors for the SMM. Henceforth, the term OSCE state is used interchangeably with participating state.

1.1 Research Problem

Research on international mediation is broad and its various aspects have been studied for many decades. A few studies specifically analyse OSCE mediation in the armed conflict in Ukraine. Scholars writing about the OSCE point to the complication of OSCE states that mediate the conflict and are belligerent at the same time (see Remler 2021 and Umland 2021). The OSCE's effectiveness is often tied to states' political commitment (see Oberson 2021 and Stenner 2016).

However, these studies do not focus on state's positions and their potential bias, leaving many questions open to speculations and theoretical debates. The same counts for OSCE's impartiality, which is stressed in most publications about the SMM but not studied empirically. Yet, empirical research about bias in other organisations such as the European Union (EU) and the United Nations (UN) has been carried out but is lacking for the OSCE. Even though bias is only one among many factors that influence mediation, it adds a missing perspective. Considering that bias is one aspect that can jeopardise mediation, it is identified as the research problem for this study.

In reality, IOs often cannot uphold to the principle of impartiality because their member states favour one side or another in a conflict. Through a text analysis of statements made to the Permanent Council (PC)[2], this study systemically assesses bias in favour and disfavour of conflict parties in the armed conflict in Ukraine. Bias is examined to help understand positions of OSCE states towards the conflicting parties. The focus is particularly on constituents who hold an interest in the conflict and whose stakes are much higher. An understanding of potential bias among participating states can support future mediation processes by the OSCE to facilitate peacebuilding processes.

[2] The Permanent Council is the primary decision-making body of the OSCE.

1.2 Research Aim and Research Questions

The aim of this study is to examine the declared impartiality of the OSCE's SMM. This is done by analysing bias in statements made at the PC. For this purpose, the data consists solely of written interpretative statements that respond to the mandate for the Ukraine mission and its extensions. Interpretative means that states react and express their opinion towards prior PC decision. The intention behind pointing to potential bias in the interpretative statements is not to defame the OSCE mission and mediation efforts but rather to add a new perspective. This perspective can enhance understanding of a part of mediator characteristics, namely bias, which can help to reveal the underlying logic of international mediation by the OSCE in Ukraine. To achieve the declared aim, the research question guiding this study is the following:

How is bias of OSCE states expressed in interpretative statements made in reaction to the extended Special Monitoring Mission to Ukraine?

For further guidance in the analysis and to facilitate answering the overall research question, the following sub-questions will structure the study:

1. How is bias implied in the interpretative statements?
2. Is the bias in favour (pro-Ukraine, pro-collaborator) or disfavour (con-Ukraine, con-Russia, or con-collaborators) of conflict parties?[3]
3. In which context is bias expressed?

The first sub-question sets the stage through establishing whether bias is expressed in interpretative statements. Detecting biased sentences also determines which sentences are further examined in the two follow-up questions. The second sub-question asks whether bias is expressed in favour or disfavour of warring

[3] Sentences in favour of conflict parties are labelled '*pro*-conflict party', deriving from the Latin for 'for', and sentences against conflict parties as '*con*-conflict party', meaning 'against'.

parties. Hence, it identifies the addressee of bias. Pro-Ukraine bias refers to bias in favour of Ukraine whereas pro-collaborator bias refers to bias in favour of collaborators in Eastern Ukraine. Bias in disfavour of these parties is covered by con-Ukraine and con-collaborator bias. Bias disfavouring Russia is described as con-Russian bias. The third sub-question asks about the content of bias to describe its context. To answer the sub-questions and acknowledge the context of bias, themes are identified through the content analysis.

1.3 Relevance for Peace and Conflict Studies

International mediation is an important discipline in the wider field of Peace and Conflict Studies because it contributes to peaceful and sustainable transformation of destructive conflicts. One of these conflicts is unfolding in Ukraine since 2014 and is marked by the Russian annexation of Crimea and the intensified war in Eastern Ukraine. International mediation efforts have become increasingly important in the last decades (Wallensteen & Svensson 2014). Research about mediation has shown that mediation can either benefit from biased mediators or be challenged by them. Describing bias as reflected in the interpretative statements contributes to an understanding of states' positions. When states are engaged in mediation while playing an active role in the conflict, states' self-interests are particularly interesting to look at. Thus, this study is relevant for academic literature about impartiality and bias in mediation but also has practical implications for future mediation efforts by the OSCE and other actors considering the recent escalation between Russia and Ukraine.

1.4 Delimitations

Clarifying delimitations enables a more thorough delineation of the scope of this thesis. This study scrutinises bias to study mediator characteristics. However, bias is only one among many factors that shape mediation. By focusing on bias, neither is the interplay between other factors underrated, nor is bias claimed to be

more important than other mediator characteristics. Nonetheless, the previously identified research gap warrants the further exploration of bias.

Moreover, the focus is solely on bias in text, meaning that bias in actions by the SMM are not assessed. Therefore, the study is limited to interpretative statements (bias in word) and not how the mediation is conducted (bias in action). Establishing whether potential bias among participating states leads to ineffectiveness of the SMM is beyond the scope of this study. This includes that the findings cannot contribute to scholarly discussions regarding whether bias has a positive or negative effect on mediator characteristics. Yet, this study is a starting point to determine whether bias is apparent.

This study is aware that potential findings of bias in interpretative statements regarding the SMM cannot challenge the entire OSCE as a mediator because connections between the SMM and other mediation formats cannot be drawn. The analysis excludes oral statements which were delivered during Plenary Meetings with the adoption of SMM extensions on their agenda. Thus, this study is bound to written statements attached to PC decisions. The delimited material of nine documents in relation to the SMM, i.e. the mandate and its extensions, enables the study of all 45 interpretative statements.

Additionally, the Russian invasion in Ukraine since the 24th of February 2022 is not covered in this thesis since it resulted in the termination of the SMM. Because of the termination, the time span between 2014 and 2021 is most relevant for the sources that will be analysed.

1.5 Outline

This thesis consists of eight chapters, including the introduction. *Chapter 2* illustrates the background to this study, namely the armed conflict in Ukraine between 2014 and 2021 and the OSCE's involvement to improve the situation. *Chapter 3* presents an overview of relevant research about the OSCE's involvement in Ukraine. Additionally, studies about biased mediators in Ukraine are reviewed. *Chapter 4* establishes theoretical points of departure, particularly the concepts bias and impartiality in international mediation. This serves to put the sub-questions into

context. *Chapter 5* introduces the methodology, which entails a text analysis as the design, reflects on the chosen data and explains a summative content analysis as the most suitable method to answer the research question. *Chapter 6* applies the suggested content analysis method to analyse the data, structured by the sub-questions. The results from the analysis are discussed in *Chapter 7* in which the findings are connected to previous research and theoretical considerations. The contributions and an outlook of this study are summarised in a conclusion in *Chapter 8*.

2 Background

To contextualise this study, the conflict onset, and the annexation of Crimea in 2014 are described. An outline of the armed conflict in Donbas between 2014 and 2021 follows, as well as discussions on the conflict's terminology. The second section presents international mediation efforts in Ukraine, focusing on the OSCE's involvement through the SMM.

2.1 Armed Conflict in Ukraine

In November 2013, former President Yanukovych refused to sign an EU association agreement which resulted in protests throughout Ukraine (Biersack & O'Lear 2014: 248). The pro-European protests are known as 'Euromaidan'; the name derives from the square in Kyiv where the protests took place. The Ukrainian government violently attempted to dissolve the large-scale protests (UCDP 2020). After the protests turned violent, President Yanukovych, who faced impeachment, fled from Ukraine and was succeeded by a pro-European Union government. This new government was condemned by Russia as "puppets of a EU/US-backed coup" (Biersack & O'Lear 2014: 248). Russia posits a historical attachment to Ukraine. Revocation of a language law that would have allowed for Russian and other minority languages as regional languages resulted in representations of the new Ukrainian government as "threatening to Russian speakers and ethnic Russians in Ukraine, such as in Crimea" (ibid.: 249). Hence, Ukraine turned into a "geopolitical battleground between Russia and the West" (ibid.: 248).

In February 2014, masked Russian soldiers, so-called "little green men", surrounded and occupied the Crimean Peninsula (ibid.: 249). In an attempt to legitimate the occupation of Crimea, a referendum was staged in March 2014. International condemnation and sanctions followed the unlawful annexation of

Crimea as well as further conflict (Biersack & O'Lear 2014: 251; Tsybulenko & Francis 2018: 124).

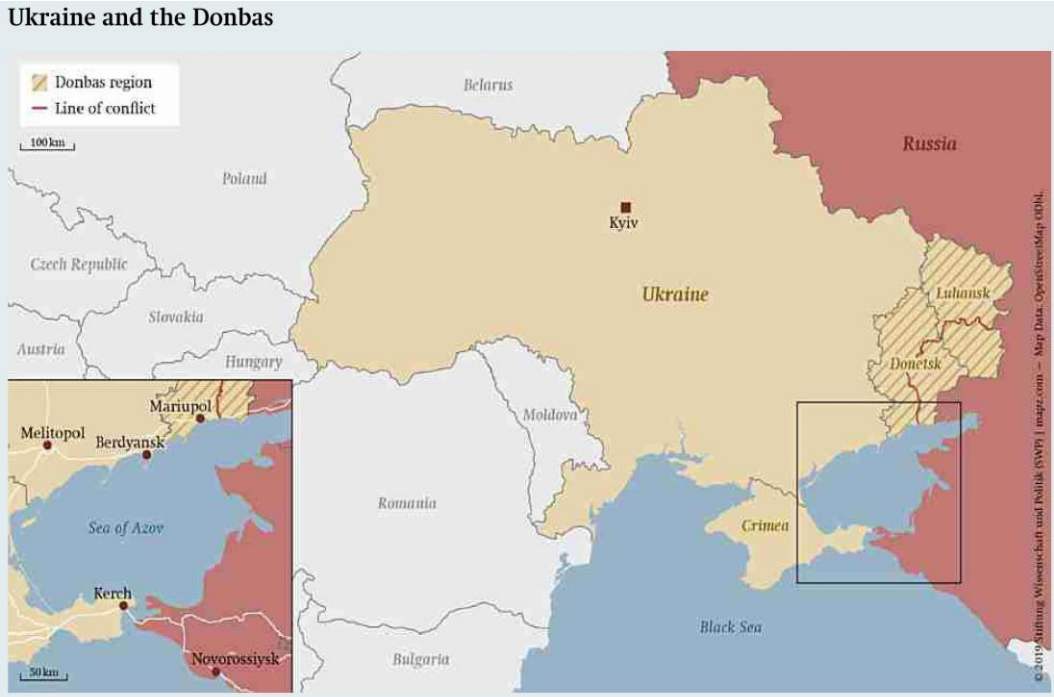

Figure 1 - Ukraine and the Donbas (Fischer 2019: 8)

In spring 2014, aggressions intensified in Eastern Ukraine and turned into armed conflict in the Donbas region.[4] Figure 1 shows the Donbas (hatched area) and the line of contact between Ukraine forces and collaborators and the Crimean Peninsula in the south. The two declared 'People's republics' Donetsk and Luhansk[5] held referenda in May 2014 (Fischer 2019: 9). The territories are not under control of the Ukrainian state (Twickel et al. 2018: 2).

[4] Henceforth, the short-version Donbas is used to describes the Donbas Basin region ("Donetskyi Basein") in Eastern Ukraine (Fischer 2019: 7).

[5] The 'People's Republics' Luhansk and Donetsk are self-declared and their "independence" from Ukraine is internationally not recognised (ibid.).

2.2 Terminology

Scholars discuss Russia's involvement in Eastern Ukraine but differently emphasise the impact of domestic compared to foreign factors (Hauter 2019: 96). Some advocate for calling it a civil war, indicating an internal conflict, in which 'separatists' seek independence from Ukraine while others describe it as a Russian invasion in disguise of Russian-backed 'separatists' (ibid.: 100). Even though Russia repetitively denies its involvement in the armed conflict through support for 'separatists', direct Russian involvement has been observed from the beginning (Twickel et al. 2018: 2).

However, the collaborators are not independent from Russia, thus, using the words "separatists" or "rebels" would imply an internal conflict (Tsybulenko & Francis 2018: 128). Tsybulenko and Francis argue that the Russian and Ukrainian military were fighting each other in Donbas already before February 2022 and that non-state armed actors, local collaborators, play a key role (ibid.: 128). Labelling the conflict (actors) might seem trivial but the terminology has significant effects on the law that governs the conflict. Thus, distinguishing between international armed conflict and internal civil war is crucial.[6] Compelling evidence that the armed conflict in Ukraine constitute an international armed conflict[7] is provided by Russian aggression and regular and irregular Russian troops (Tsybulenko & Francis 2018: 140). Additionally, the role of Russian involvement and its connection with the collaborators is central for conflict understanding, which then influences conflict solutions, such as mediation.

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[6] Due to the limited scope of this study, conflicting classifications of the armed conflict in Ukraine are not extensively discussed (see Hauter 2019 or Tsybulenko & Francis 2018).

[7] That is why quotation marks are used throughout the thesis when referring to 'separatists'.

2.3 International Mediation in Ukraine

The OSCE mediates on an international level but also on the grassroot level in Ukraine. International mediation processes, performed by the Trilateral Contact Group (TCG), substantially include the OSCE. The TCG consists of representatives of Ukraine, Russia and the OSCE and has been established by the Normandy Format.[8] Supported by the Normandy Format, Minsk agreements were negotiated in the TCG framework (Fischer 2019: 11). The Minsk Protocol from September 2014 established a ceasefire, monitored by the OSCE (ibid.: 12). However, the fighting in Eastern Ukraine did not decrease which led to the Minsk document in February 2015, providing specific measures to implement the agreement (ibid.).[9] The stakeholders of the Minsk agreement are presented in Figure 2, namely the Normandy Format on the left side and the TCG on the right side.

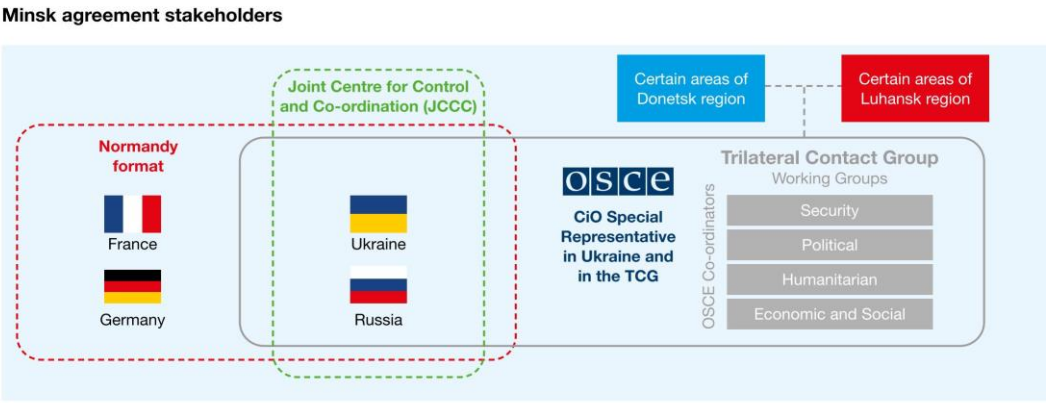

Figure 2 - Minsk agreement stakeholders (OSCE 2021: 33)

Regardless, the Minsk agreements leave unresolved problems including the lack of elections in the regions held by 'separatists', the status of Donbas and withdrawal of Russian-backed troops (Bentzen 2020). According to the Minsk agreements, Russia is not defined as a party to the conflict, leaving obligations on Russia out of

[8] The Normandy Format consists of representatives of France, Germany, Ukraine, and Russia and performs international mediation to settle the dispute in Ukraine since June 2014.
[9] The specific measures cover a new ceasefire, withdrawal of heavy weapons and foreign armed formations, etc. (Trilateral Contact Group (2015)).

the agreements (Fischer 2019: 12). Despite unresolved issues, the Minsk agreements guide the OSCE's involvement.

2.4 OSCE's Special Monitoring Mission to Ukraine

The OSCE has 57 participating states and is the largest regional security organisation worldwide (2022b).[10] Their objectives are stability, peace, and democracy, which they obtain through political dialogue and practical work. The OSCE includes relevant actors from 'the West', such as the EU and the United States (US), but also from the former Soviet Union. Significant for this study is that both Russia and Ukraine are part of the OSCE.

To fulfil the Minsk agreements, the OSCE deployed the SMM for presence on the ground, contributing to mediation on the grassroot level. The SMM started in March 2014, following a request by Ukraine. The decision was governed by the PC, which implemented the SMM's deployment and its extensions.[11] The PC is ruled by consensus-based decision-making which means decisions require consent from every participating state. In March 2022, the mission was terminated due to hindrance of consensus-based decision-making by Russia (OSCE 2022a). The SMM had 1.291 mission members, out of which 477 were national staff, which made it the largest OSCE mission (ibid.).

The SMM mandate highlights the "principles of impartiality and transparency" (PC.DEC/1117). These principles apply to all SMM tasks, such as impartial reporting on the security situation, i.e. ceasefire violations. Other tasks include mediation components, such as dialogue facilitation. The latter attempts to diminish tensions and to foster peace. However, clear instructions on how dialogue facilitation should be performed lack in the SMM mandate. Dialogue facilitation, mediation, and confidence-building measures are relevant tools that the OSCE opt

[10] The OSCE is an extension of the Conference on Security and Co-operation in Europe which was created for negotiations between East and West in the 1970s (ibid.).

[11] The decision on deploying an "Observer Mission at the Russian Checkpoints Gukovo and Donetsk" between July 2014 and September 2021 was also governed by the PC but is not explained in detail here. For more information see OSCE (2022c)

to strengthen (OSCE 2021: 17/21). For reasons mentioned above, the focus of this thesis is on OSCE's mediation regarding the SMM.

3 Previous Research

This chapter offers an overview of research on OSCE's mediation connected to the SMM. Then, scholarly findings about the mandate and interpretative statements are discussed and lastly, studies on bias in international mediation in Ukraine are presented. Reviewing literature about the topic serves to establish what is known about it and uncovers open questions, i.e. the research gap, that this study addresses. However, instead of an all-encompassing literature review about bias in international mediation and the SMM, this should be understood as an excerpt of most relevant literature to embed the analysis in.

3.1 Mediation and the SMM

The OSCE as an international organisation has received considerable attention by scholars, however, research about its role as a mediator is rather limited. Scholars argue that the OSCE's mediation efforts are characterised by new mediation and dialogue facilitation capacities (Stenner 2016: 256). In their[12] study, Stenner (2016) discusses these new mediation capacities which include mechanisms for conflict resolution. In line with Stenner's general findings about the OSCE, Schläpfer identifies unique aspects of the mediation framework in Ukraine which enabled, for example, the SMM (2016: 340). The SMM built operational capacities on the ground which supported mediators by linking international efforts with the SMM's presence in Ukraine (ibid.). Schläpfer recognises the impact of the SMM on international mediation but did not study it further, which indicates the research gap to study the SMM from a perspective of international mediation.

[12] I use the singular "they" throughout this thesis to encourage gender-inclusive language.

By looking at the mandate and its extensions, scholars have analysed the SMM. The mission's mandate and its limitations are explored by Härtel et al. (2021). They describe that the mandate was not significantly modified each year. However, minor changes regarding financing and the deployment of more personnel have been adopted.[13] Härtel et al. argues that the mandate formally covers entire Ukraine but has never received de facto access to Crimea. Umland confirms their findings and explains that access to Crimea was blocked because Russia considers Crimea their territory since the annexation (Umland 2021: 7). Despite the discussed mandate limitations, attention to the underlying reason for the restrained mandate are missing. By focusing mainly on the mandate, the attached interpretative statements have been inadequately addressed by scholars.

3.2 OSCE's Impartiality

Aspects of OSCE's impartiality have been mentioned by different scholars, mostly connected to the consensus-principle. By looking at OSCE's decision-making process, scholars argue for and against the consensus-principle. One the one hand, consensus-making offers credibility, legitimacy, and impartiality because every state needs to approve decisions. The advantage of impartiality is advocated by Schläpfer who writes that the OSCE was perceived as an "impartial facilitator for dialogue" by Russia and Ukraine (2016: 328). On the other hand, consensus challenges the OSCE and, according to Remler, eroded OSCE mediation because of its dependence on the will of participating states (2021: 1). The erosion is further impacted by the dual position of states that act as mediators while being involved in the conflict, namely Russia and Ukraine (ibid.).

Bringing the role of Russia into perspective to the mission, Härtel et al. argue that while "officially approving of its creation, Moscow was, from the beginning unsupportive of the OSCE SMM" (2021: 26). Not only did Russia reluctantly agree to the mission but also tried to slow down the deployment process. The reason for

[13] The mandate and its extensions can be accessed on the OSCE's official website.

Russia's reaction is explained by Härtel et al., who argues that Russia is hindered by the SMM to implement its policies in the Donbas (ibid.). The author's reasoning is in line with Kropatcheva's argumentation that prior to the armed conflict in Ukraine, Russia exhibited disinterested and obstructive policies towards the OSCE (2012: 370). Kropatcheva attributes Russia's position to their more "pragmatic, selective and instrumentalist" policy towards the OSCE, which derives from Russia's preference to cooperate, but solely in accordance with own interests (2012: 375).

3.3 Interpretative Statements

A few scholars have pointed to interpretative statements in their research, but the statements are rarely studied extensively. This lack of attention is contrary to the relevance of interpretive statements which are regularly used by participating states. However, Müller's study is an exception, as it covers interpretative statements between 1994 and 2001. Interpretative statements are anchored in the founding document of the OSCE (Müller 2002: 347). The statements correspond to given decisions in the sense that delegations can "have the last word on the issue" concerning PC decisions (Müller 2002: 350).

Müller describes an increase of statements in 2001 as "reflecting a growing difficulty to reach an authoritative or authentic interpretation of the meaning of PC Decisions" (2002: 350). In their publication about achievements and limitations of the SMM, Umland shares Müller's view about difficulties surrounding the statements to the extent that a statement by Russia violates basic OSCE principles (Umland 2021: 7). These violations refer to "territorial integrity and the political sovereignty of participating states" (ibid.). The state Umland refers to is Ukraine and the territory in questions relates to Crimea and parts in Eastern Ukraine. An immediate reaction by different states, including Ukraine, followed in form of interpretative statements that address the proclamation about territory.

Quite to the contrary, a reflection paper by the OSCE about the first five years of the SMM praises positive aspects of interpretative statements. Including interpretative statements enabled states to express their "views and positions after

the decision [to deploy the SMM] was adopted", explains former Chairperson of the PC Greminger (OSCE 2021: 10). Thus, Greminger retrospectively states that the mandate negotiations can be labelled as successful because they resulted in consensus despite diverging views on geography. Taken together, the OSCE (2021) perceives the statements as an opportunity whereas Müller (2002) and Umland (2021) recognise that the statements erode the OSCE acquis, but neither of them connect the erosion to mediator characteristics, such as bias. Hence, a gap to address bias in interpretative statements becomes apparent.

3.4 Biased mediators in Ukraine

A closer look is taken at two studies that relate bias to international mediation in Ukraine.[14] By focusing on mediation in Donbas, Landwehr (2019) touches upon bias of different mediators in the Normandy Format. They argue that the US strongly favours Ukraine, and the EU is slightly biased towards Ukraine whereas Russia shows a strong bias towards the collaborators in Eastern Ukraine (ibid.: 303). Landwehr also explores imposed sanctions on Russia by the EU, US, and Canada among other 'Western states' (ibid.: 305). Landwehr argues that the conflicting parties in Ukraine prefer biased mediators because of the advantage of passing information to "their" conflict party (ibid.: 304).

Scholars discuss advantages and disadvantages of biased mediators. While traditionally, scholars advocated for full impartiality as a requirement for mediation,[15] Landwehr's argumentation is in line with scholars that point to the advantage of bias for mediation (see Carnevale & Arad 1996, Kydd 2003, Svensson 2009). These scholars acknowledge the positive influence of biased mediators on their respective side due to leverage and bargaining options. These diverging views on bias make a focus on the aspect of bias highly relevant.

Landwehr draws on Elgström et al.'s study (2018) that explores whether the EU is perceived as a biased mediator. For that, 40 interviews were carried out with local

[14] A more in-depth focus on conceptualisation of bias is offered in the theory chapter.
[15] See Wallensteen and Svensson (2014) for a detailed description.

leaders of civil society, politics, and business (ibid.: 308). Elgström et al. (2018) conclude that EU bias in favour of Ukraine is perceived by the interviewees. Perception of biased mediator derives from "perception of close relations with one or more conflict parties" (ibid.: 301). Contrary to assumptions from mediation theory they also find that bias is not perceived as the main driver of EU's ineffective mediation efforts (ibid.: 300). Whereas Elgström et al. studied perceptions of decision-makers on EU bias, this thesis analyses bias in word from statements by OSCE states.

3.5 Positioning the Thesis

This overview of previous research in the field revealed that research has been done regarding mediation of the OSCE in general and specifically for the Ukraine conflict which points to the combination of mediation and monitoring. Additionally, research covered the monitoring mission and its mandate. Other scholars have dealt with interpretative statements at the PC but without studying bias. Studies on biased mediators in the context of Ukraine have been reviewed and attention to discussions about OSCE's impartiality has been brought.

To address the research gap, this study combines the aspect of bias with OSCE's mediation efforts through the monitoring mission in Ukraine. Stenner advocates in their outlook that the OSCE "needs to re-strengthen its culture of dialogue by moving from positional bargaining presented through prepared statements […] to examining and addressing the interests underlying the positions" (2016: 272). Supporting this call, the present study addresses bias in aforesaid statements which helps describing interests of favour and disfavour of conflict parties that underly the positions brought forward at the PC. This will not only contribute to academic literature but could help practitioners to understand one of the factors that influences SMM's mediation. The focus on bias is particularly interesting because the OSCE advocates for impartiality as one of their main principles which deviates from scholarly findings that biased mediators can have an advantage over unbiased mediators. Thus, this thesis aims to bring attention to bias, as challenging

impartiality, in the realm of international mediation in the armed conflict in Ukraine between 2014 and 2021.

4 Theoretical Points of Departure

The aim of this chapter is to embed the research question and sub-questions in relevant literature surrounding mediator bias. For that purpose, a general overview on international mediation and dialogue facilitation is presented. Since this study does not test a theory of international mediation but rather uses the concept of bias as an overall lens to guide the analysis and the discussion, the terms *bias*, *impartiality*, and *neutrality* are conceptualised according to scholarly definitions. The second part of this chapter is organised according to the sub-questions.

4.1 International Mediation

International mediation in armed conflict aims to transform destructive into constructive conflicts (Wallensteen & Svensson 2014: 315). It is known that contextual, behavioural and mediator's characteristics influence mediation (Vuković 2011: 114). This has been looked at from different angles. Peace mediation research has covered mediation frequency, mediation strategies, mediator bias, coordination and "success" of mediation efforts (see Wallensteen & Svensson 2014). These factors influence mediation, but the particular focus in this thesis is on bias. This thesis adheres to Bercovitch's definition:

> [Mediation is] part of conflict management […] whereby the disputing parties or their representatives seek the assistance […] of an individual, group, state or organization to change, affect or influence their perceptions or behavior without resorting to physical force, or invoking the authority of the law. (Bercovitch & Gartner 2009: 6)

The OSCE's monitoring mission followed a request for assistance by Ukraine, which constitutes a warring party to the conflict. The SMM is unarmed so it cannot resort to physical force and the OSCE's decisions are not legally binding so it cannot invoke the 'authority of law'. Hence, the SMM adheres to Bercovitch's definition of international mediation. The mission combines monitoring with mediation. This means that while monitoring, which consists of impartial fact-

reporting of ceasefire violations, the SMM carries out dialogue facilitation tasks that fall under the definition of mediation. The OSCE's working definition of mediation is narrower than Bercovitch's definition because of the specification of the mediation strategy:

> Mediation can be defined as a "structured communication process, in which an impartial third party works with conflict parties to find commonly agreeable solutions to their dispute, in a way that satisfies their interests at stake". (OSCE 2014: 10)

The emphasis of mediation as a communication process, as well as the priority given to the mediator's impartiality, is distinct for the OSCE.

Academic literature does not present a concise definition of dialogue facilitation, but explains it often in reference to mediation (Kyselova 2017: 125). According to the OSCE, dialogue facilitation resembles mediation but is a "more open-ended communication process between conflict parties" to foster trust and mutual understanding (2014: 10). Its aim is to achieve a better understanding of conflicting perspectives rather than achieving a particular settlement (ibid.). The voluntary component of mediation and dialogue facilitation is raised by the OSCE and relates to consent of the conflicting parties (ibid.: 45).

Altogether, the main features of international mediation are reflected in the framework for the SMM. Among the SMM tasks is dialogue facilitation which is part of international mediation. Since impartiality and bias influence mediators, a closer look at these concepts is taken in the next section.

4.2 Bias

4.2.1 Defining Bias, Neutrality and Impartiality

The first sub-question, *how bias is implied in the interpretative statements*, requires a definition of bias as used in theories on international mediation.[16] Overall,

[16] Conceptualising bias functions also as the basis for the codebook, which is explained in the methodology chapter and applied in the analysis.

bias is apparent when "the mediator is closer to one side than the other" (Arad & Carnevale 1994: 426). Although definitions of bias vary slightly, most include notions to the favoured side. For example, Kydd indicates that "[i]f the mediator's preferences are aligned with one party or the other, she is said to be biased in favor of that party" (2003: 601). Other definitions refer to "closeness" with disputants or "the mediator's closer ties with one party", when defining bias (Elgström et al. 2018: 302, Carnevale & Arad 1996: 44). In contrast, if the mediator is indifferent towards the parties, they are defined as unbiased or neutral (ibid.).

Carnevale and Arad divide bias in mediation into two forms: 'bias of source' and 'bias of content'. Whereas bias of content relates to the settlement proposal, i.e. the content of the negotiation outcome, bias of source derives from the mediator's close ties to one party (Carnevale & Arad 1996: 45). The focus of this thesis is on bias of source[17] because dialogue facilitation does not aim for a specific settlement. Bias of source has an effect on the mediator's acceptability and effectiveness (Gent & Shannon 2011: 129). This means that bias can challenge functionality and effectiveness of the SMM.

Regarding the detection of bias in interpretative statements, the analysis leans on a study that examines 'neutrality' in the UN. The authors argue that "calling upon" or "condemning" conflict parties is contrary to neutrality (Benson & Satana 2009: 141). *Neutrality* can be defined as "denying or curbing one's self-interest and suspension of judgement" (Stenner 2016: 269). Since the OSCE follows international law (IL), it cannot be neutral. This might seem contradictory first, considering the OSCE's declaration of impartiality, but neutrality would imply to act neutral even towards violations of IL.[18] A brief outline of neutrality was deemed necessary, even though the concept of neutrality is not used in the analysis. However, it enables to distinguish between biased and neutral expressions.

The OSCE's declared impartiality can be questioned when bias is detected in sentences. The SMM mandate refers in its introductory paragraph to the OSCE "principles of impartiality and transparency" which regulate the mission

[17] Henceforth only referred to as bias.

[18] Scholars have traditionally advocated for neutral mediators, but the OSCE's argumentation is in line with research arguing that neutrality is not a necessary characteristic for successful mediators (Kydd 2003: 608).

(PC.DEC/1117). *Impartiality* refers to "freedom from favouritism and bias in either word or action" (Stenner 2016: 268). The OSCE's own definition of impartiality does not exactly follow Stenner's but describes impartiality as "even-handed conduct by the mediator towards the conflict parties" (2014: 45). This means that impartiality relates to behaviour. The OSCE adds to their definition that the principle of impartiality requires facts to be reported without attributing blame to one of the parties (2021: 47). Following that argument and the described conceptualisation of bias, interpretative statements that appeal to conflict parties reflect bias. Since the SMM position themselves to adhere to impartiality, finding bias in word or action could challenge this position.

The matter of bias is relevant because the OSCE combines mediation with monitoring. On the one hand, unbiased reporting of facts is necessary for ceasefire monitoring (Clayton & Sticher 2021: 3). On the other hand, theories on international mediation increasingly acknowledge that mediation could benefit from the advantages of biased mediators over unbiased mediators.

4.2.2 Addressees of Bias

In order to conceptualise bias for the analysis of the material, I call upon previous research. However, the following is not to be considered a review of the research field. Rather, different scholarly perspectives are outlined to arrive at the conceptualisation employed in the analysis. Scholars distinguish between conflict parties which the biased mediator is in favour or in disfavour of, to understand bias in a more differentiated manner.

Benson and Satana separate between "criticism of any kind 'against state A'" and "clear support for 'state B'" (2009: 141). Here, the recipient is separated on a state level only. Studying the degree of bias in resolutions that are getting passed at the United Nations Security Council (UNSC), they conclude that the majority of resolutions make an explicit statement against a state (ibid.: 143). However, their study leaves non-state actors out.

Other scholars are more nuanced in their separation between mediator bias in favour of conflict parties. The next two paragraphs describe such studies to show additional actors to state actors. In their empirical study on civil wars, Svensson

(2009) studies the effect biased mediators have on the content of peace agreements compared to neutral mediators. For this purpose, they separate between neutral, rebel-biased, and government-biased mediators. Covering civil wars between 1989 and 2004, the results show that neutral mediators reach agreements faster, but they do so with lesser quality (ibid.: 464). Hence, Svensson argues in favour of including biased mediators in the mediation process. Biased mediators have an advantage because of their capability to influence the favoured side, for example through material support (ibid.: 448). The concept of 'rebel-biased' mediators is added to the analysis because it suits the landscape of belligerents in the armed conflict in Ukraine.[19] Government-bias is added as well because it reflects bias in favour of Ukraine.

Much of the existing literature on bias in international mediation has focused on state mediators rather than bias of states that are part of an IO which acts as an umbrella, such as the OSCE. However, Lundgren and Svensson turn to this gap arguing that since political interests of states are present and "these interests appear to affect mediation outcomes", studies on meditation of IOs ought to include bias and leverage (2014: 318). In addition to pro-government and pro-rebel bias, they add 'balanced biasedness'. The authors refer to balanced IOs when the preferences, meaning apparent bias, among the participating states are balanced. The data set from 1975-2004 also focuses on civil war mediation. They "find that IOs where member states provide support to both sides in a conflict outperform IOs whose member states remain disinterested" (ibid.: 316). This means that balanced IOs that include states that support each conflict side are more effective because they can take advantage from this close relationship (ibid.: 318). Since the OSCE is an IO, the aspect of referring to balanced biasedness will be included in the discussion. This means whether bias, as expressed by participating states, is evenly distributed between different conflicting parties. Deriving from the OSCE's premise of impartiality, this aspect is particularly noteworthy because a balanced IO could outperform an impartial OSCE.

The study by Benson and Satana lacks a focus on non-state actors, whereas the two other studies cover only civil wars, which means that the component of multiple

[19] Following the argumentation about terminology, the term collaborator is used instead of 'rebels'.

state actors is not included. Combing these addressees of bias, the present study includes both operating state actors, namely Ukraine and Russia, as well as the collaborators in Eastern Ukraine as non-state actors. Moreover, the OSCE as a potentially balanced IO will be discussed.

4.2.3 Content of Bias

The third sub-question concerns the content of biased sentences. In the context of this study, bias means the closer ties to one of the parties, which can be economic, political, or personal (Carnevale & Arad 1996: 45). Other scholars explored the content of bias based on economic and military sanctions (Benson & Satana 2009: 140), as well as datasets covering external support in armed conflict (Lundgren & Svensson 2014). Hereby, they operationalise bias based on the forms of support that range from troop supply to weapon deliveries or training, to name a few. The database on external support covers only the years 1975-2009. The lack of data on the Ukraine conflict, therefore, disabled this study from following the same pattern. This is further impeded by the covert relationship between Russian supply to the collaborators as described in the background chapter.

Instead of exploring bias through the database on external support, this sub-question uses the biased sentences, identified from the first sub-question, and analyses its content. Determining whether the bias stems from economic, political, or personal ties is beyond the scope of this paper, but the content of biased sentences can be scrutinised. This enables to recognise a lower level of bias than, for example, sending troops or weapons. Prevalent themes surrounding the SMM as described in the literature review are used to compare the findings. Overall, the content analysis seeks to explore the different themes that occur in biased expressions.

5 Methodology

The forthcoming sections introduce text analysis as the research design, followed by a critical discussion of the chosen data. Then, a summative content analysis, as a type of text analysis, is presented as the most suitable method to answer the research question. The chapter ends with measures taken to ensure validity and reliably for the purpose of this study.

5.1 Design

Rising attention to the "importance of language and meaning for political analysis" increased academic interest in text analysis (Halperin & Heath 2020: 364). A text analysis can enable insights into political phenomena, which is the relation between bias and mediation in this study (ibid.: 386). The proximity to the text enables to "ground researchers in the words and experiences of the people being studied" (Wutich & Gravlee 2012), the latter being the OSCE states. Especially contested concepts, such as bias, can be studied through a text analysis because of its flexible use (ibid.). Wutich and Gravlee's inclusive approach, which benefits from "moving between words and numbers in analyzing texts", is incorporated (2012: 188). Hence, the employed text analysis is balancing quantitative and qualitative aspects. Moreover, the focus on written interpretative statements makes a text analysis particularly suitable since it studies written text.

5.2 Data

The primary sources for this study consist of PC decisions about the OSCE's SMM. Deploying the SMM evoked reactions in form of interpretative statements

by OSCE states and so did each of the eight mandate extensions between 2014 and 2021. Therefore, the analysis is based on all 45 attached interpretative statements. The nine documents encompass a total of 77 pages of interpretative statements, which were made by eight OSCE states.

Three considerations for empirical source criticism are relevant, namely authenticity of the data, credibility and whether the data matches the research question. Since the research question asks specifically for bias in the interpretative statements that react to the SMM mandate and its extensions, the data matches the research question. Authenticity is guaranteed because the sources are freely accessible on the OSCE's official website. The documents are available in different languages, but this analysis will solely use the English versions since English is the main working language of the OSCE.

Credibility is ensured by representing positions of the OSCE states on bias and impartiality in a fair way in the chosen sources. The PC is an internal decision-making format which enables the OSCE states to express their positions and concerns freely. Considering the focus on the armed conflict in Ukraine, statements following PC decisions on the Ukraine mission present positions of OSCE states about warring parties. These positions can either show favour or criticism of conflict parties. Hence, underlying positions which potentially entail bias can be detected in the data, which is why these specific PC decisions are used.

5.3 Positioning the Researcher

As a validity strategy, the researcher's personal biases need to be addressed (Creswell 2014: 202). My lived experiences as an EU citizen may exert influence on evaluations of the conflict in Ukraine. I recognise the unintentional bias in the selection of sources in the literature review and in the background chapter. Due to language barriers, a Russian perspective is missing and primarily Western academic sources are utilised. As described in the delimitations, the detected bias is not evaluated but only described and connected to previous research. This enables the researcher to objectively describe the content instead of including personal judgment. Moreover, living and studying in different European countries may have

influenced my perspective of the OSCE, in that my perceptions of IOs were shaped in pro-European environments. More importantly, a firm stance on IL and human rights violations may influence my view on the conflict in Ukraine. However, I aim to not let the thesis be guided by subjective interpretations and follow scholarly definitions of the concepts *bias* and *impartiality*.

5.4 Method

One of the most common methods to carry out a text analysis is a content analysis. A content analysis focuses on the text itself rather than the broader context the text is produced in. Yet, a qualitative content analysis (QlCA) is "more sensitive to the context" than a quantitative content analysis (Halperin & Heath 2020: 365). This context-sensitivity is considered in the analysis when drawing back on secondary sources. Hsieh and Shannon define a QlCA as a "research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns" (2005: 1278).

A QlCA is a fitting choice to analyse bias in interpretative statements. Since bias is not only reflected in actions but in words, a message analysis of OSCE states gives an insight to their perception of conflict parties. The advantage of a content analysis is its "unobtrusive and nonreactive way to study the phenomenon of interest" (Hsieh & Shannon 2005: 1285), which means expressions of bias are not extracted in, for example, an interview setting, but rather messages expressed by OSCE representatives are observed without researcher influence. It is important to bear in mind that a content analysis cannot reveal what really happened but rather looks at the language that then enables an act. This means, a content analysis cannot reveal facts that influence bias of states, but rather describes how something is portrayed, for instance how states express bias in their statements. A content analysis cannot reveal that states act upon the bias that is detected in the language. Thus, the findings remain descriptive about expressed bias.

5.4.1 Summative Content Analysis

Choosing among different approaches of QlCA, this study uses a summative content analysis. In a summative content analysis, the study starts with keywords that derive from reviewing literature. These keywords are identified and quantified. The coding in this study is deductive[20] but incorporates inductive components to include themes that are not covered by previous research (Kibiswa 2019: 2060). A summative content analysis is fitting to answer the research question because in addition to quantifying identified keywords the contextual use of the words is explored (Hsieh & Shannon 2005: 1283). This means to explore whether a conflict party is addressed in biased sentences and how often and what the bias is about. The latter includes a look at the prevalence of themes and their context. The quantitative aspect is visualised through graphs which form the point of departure for the qualitative interpretations. Thus, rather than solely counting words, which would be a classic quantitative content analysis, a QlCA deconstructs a text to show how themes are related (Kibiswa 2019: 451). Combining quantitative with qualitative features enables to balance the weaknesses of each approach.

5.4.2 Preparation for QlCA

In preparation for the analysis, Halperin and Heath (2020) suggest four steps. The first step defines the text population. Rather than analysing the entire documents, only the attached interpretative statements are analysed because previous research covered the mandate.

In the second step, the texts are examined for certain categories that help to understand bias. Different categories are explored to answer the three sub-questions.[21] The first sub-question reveals indicators for bias or neutrality, the indicators are to reaffirm, condemn, urge, and call upon. Previous research on bias in UNSC resolutions coded for these categories to show "that the UN acknowledges and appeals certain conflicts" (Benson & Satana 2009: 140). Applied on the OSCE,

[20] The deductive keywords derive from studies by Svensson (2009) and Benson and Satana (2009).
[21] That is outlined in the codebook which is attached in the appendix.

interpretative statements that include the preceding indicators supposedly show that participating states acknowledge and appeal the Ukraine conflict. The pilot coding (Neuendorf 2002: 133) exposed that most Russian statements are not covered by the predetermined categories even though they clearly show bias. Accordingly, the Russian statements were specifically studied to understand the employed wording to identify suitable codes. The second sub-question examines the addressees of bias. Bias can be in favour of Ukraine, Russia, or the collaborators, but also disfavouring Ukraine, Russia, or the collaborators. The addressee is determined when a sentence appeals to a warring party. Neutrality is detected when no conflict party is mentioned. The third sub-question contextualises biased sentences with categories such as international law, threat, and access. The following sentence is an excerpt from an interpretative statement to exemplify the second preparation step in which the texts are examined for categories.

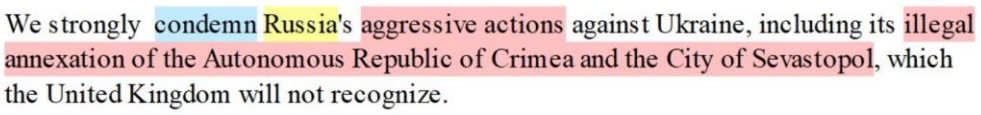

Figure 3 - Coding example (PC.DEC/1366)

The three sub-questions are visualised in Figure 3. For the first sub-question, 'condemn' is an indicator for bias (blue). For the second sub-question, yellow marks the addressee of bias, which is bias against Russia in this case. For the third sub-question, red marks the categories of the context, which is the illegal annexation and aggressive actions from Russia.

The third step chooses the recording unit. The most suitable recording unit for my research purpose is a sentence (Halperin & Heath 2020: 378). If a sentence encompasses more than one category, all occurring categories and sub-categories are described. However, if a sentence has more than one indicator for bias or neutrality, it is called a 'quasi-sentence', which describes an "argument or phrase which is the verbal expression of one idea or meaning" (ibid.: 382). Since different ideas can be expressed in one sentence, using a 'quasi-sentence' makes the analysis more precise. Thus, contending expressions are not getting simplified and merged into one sentence. To avoid confusions, the analysis treats quasi-sentences like sentences, which is why the analysis refers only to sentences.

The fourth step requires the creation of a codebook, in which a code for each category and sub-category is assigned. Subsequently, the texts are marked with the codes. Colourful marks in the text signal the presence of the categories that are described in the second step. In the codebook, the codes are described to specify how to identify the existence of a certain code. The categories are refined during the data analysis and accordingly added to the codebook. Moreover, excerpts of interpretative statements are added to the codebook to exemplify the code descriptions. For the coding process, the computer-assisted qualitative data analysis program MAXQDA assists organisation of categories and codes, but the codes were assigned manually.

5.4.3 Reliability and Validity

A content analysis like any empirical study needs to adhere to certain research standards to ensure reliability and validity. Reliability determines that the "measurement yields consistent scores" as long as the studied phenomenon is not changing (Chambliss & Schutt 2019: 111). This means that the same results will be achieved on repeated trials (Neuendorf 2002: 112). The conducted pilot study to practice coding and make improvements of the codebook strengthens the study's reliability.

For larger studies, texts are coded by different scholars to increase reliability for the results. Since this thesis is written by one researcher, this is not feasible. Instead of inter-coder reliability, between more than one coder, intra-coder reliability is ensured. This means that the text is coded with a time distance between the coding processes. Different results between the coding cycles were acknowledged and the codebook accordingly adjusted. Hence, going through the data repeatedly increases the reliability of the results.

Validity can be described with the question: "Are we measuring what we want to measure?" (Neuendorf 2002: 112). What is measured in this study is the occurrence of bias, the addressee of bias and its context. For this purpose, this study adheres to a consistent definition of bias that follows scientific standards. The conceptualisation of impartiality and bias as outlined in the theory chapter increases measurement validity. Hsieh and Shannon specify compliance to the codebook and

transparency with the choices as central to establish validity of the study (2005: 1286). To retrace how this study arrived at its findings, the coding scheme is attached in the appendix. This increases trustworthiness of the overall study.

6 Analysis

The analysis of all 45 interpretative statements starts with some general remarks and is organised according to the three sub-questions.

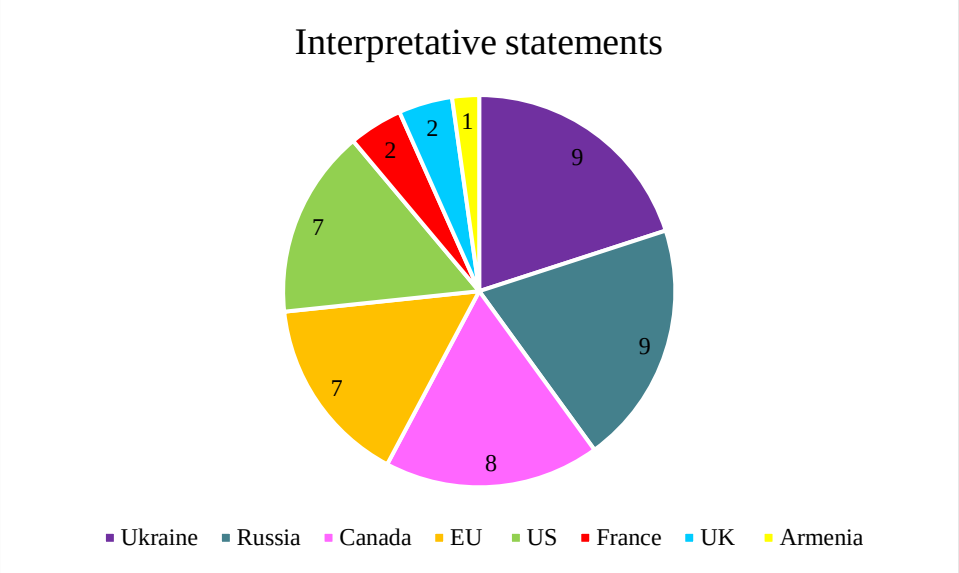

Figure 4 - Interpretative statements by states

Figure 4 shows the distribution of interpretative statements made by OSCE states. The number of statements by each state is indicated by the number written in the outer part of the circle. Ukraine and Russia made most statements, followed by Canada, and statements by EU representatives and the US. France and the United Kingdom (UK) made both two statements and Armenia one. This shows that only eight out of 57 participating states positioned themselves towards the mandate. The number of 'silent' states is partly explained by the fact that states can align to statements.[22] Aligning to a statement from another state shows support for the content of the delivered statement.

[22] States aligned to interpretative statements made by EU representatives: Macedonia, Montenegro, Albania, Bosnia and Herzegovina, Iceland, Norway, Moldova, Georgia, Andorra, San Marino, Ukraine, and members of the European Economic Area. The European Economic Area consists of EU member states, plus Iceland, Liechtenstein, and Norway. However, the positions of states that align is not considered further.

The dual position of states that are belligerents and mediators in the conflict, which can erode OSCE mediation efforts, was mentioned in the literature review (see for example Remler 2021). Drawing on this dual position, this study argues that Russia and Ukraine made the most statements because of their involvement as belligerents and mediators in the conflict. Being entangled in the conflict means that they have most at stake.

6.1 Detecting Bias

In total, 111 sentences were examined. Out of these 111 sentences, 31 are found to be neutral and 80 are biased.[23]
The prevalence of biased sentences (yellow) compared to neutral sentences (green) is visualised in Figure 5. It shows the disproportion of biased compared to neutral expressions. The focus of this thesis is on the 80 biased sentences, which is why the neutral findings are excluded from the analysis.

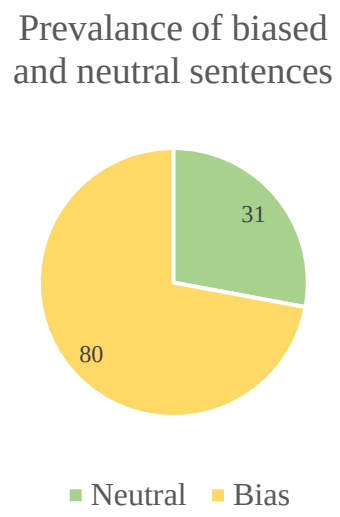

Figure 5 - Biased versus neutral sentences

So, *how is bias implied in the interpretative statements?* Most detected sentences use a sort of standard language that is similar among many OSCE states. This discovery supports Benson and Satana's finding about the UN's "standard language depending on the severity of the situation at hand" (2009: 139) to the OSCE. This means that many expressions are replicates of one another.

[23] Neutral sentences either do not address a conflict party or address all conflict parties.

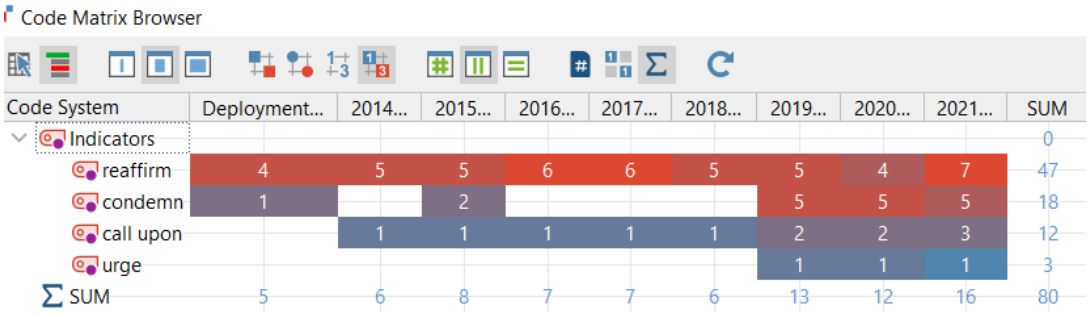

Figure 6 - Frequency of indicator words

Figure 6 shows an excerpt from MAXQDA which displays the frequency of indicator codes for biased sentences. The indicators (reaffirm, condemn, call upon and urge) are listed according to their frequency from top to bottom. Forty-seven sentences ‘reaffirm’, 18 ‘condemn’, 12 ‘call upon’ and three ‘urge’ the conflict parties. The colours visualise frequency of codes, with light blue referring to one indicator code and bright red referring to seven indicator codes in the respective year. The codes are sorted from left to right according to the document they were found in, ranging from SMM deployment in 2014 to the last extension in 2021. The grid shows a tendency of increased expressions of favour or disfavour beginning with five biased sentences in 2014 and reaching 16 in the last extension in 2021.

Parallel to biased sentences, the number of interpretative statements also increased during the SMM deployment. Figure 7 shows both the increase of interpretative statements and of biased sentences that were found in the statements. The numbers on the y-axis stand for the total number of statements in each year, displayed in the x-axis, as well as the total number of biased sentences.

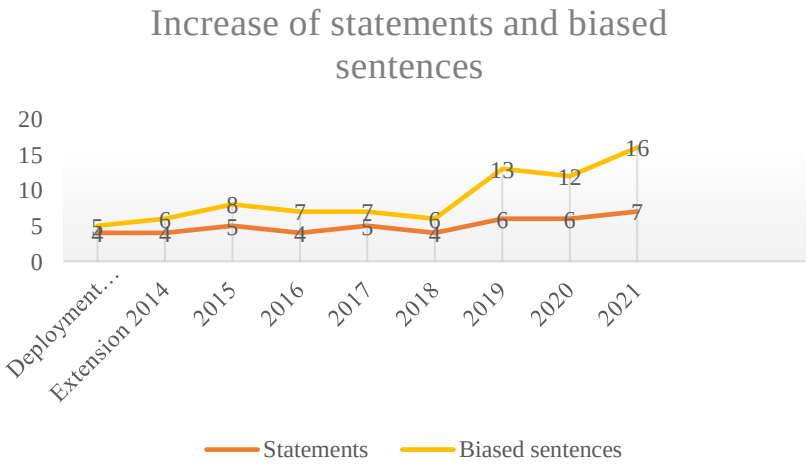

Figure 7 - Increase of statements and bias

Figure 7 shows that the total number almost doubled from four to seven statements between 2014 and 2021. Since the mandate did not significantly change between the years of deployment (Umland 2021), which could have explained the increase of interpretative statements, the rise of statements can be attributed to a change of attitude towards the OSCE mission or the armed conflict in Ukraine.

This finding connects to Müller's observation that more statements are made when difficulties increase to reach "authoritative or authentic interpretation" of PC decisions (2002: 350). An authoritative interpretation would mean rather similar interpretations of the mandate and its extensions. The increase of biased remarks can partly be explained by the increase of total statements which reflect a growing difficulty to reach consensus. However, especially the peaks between 2019 and 2021 show the most significant rise of biased expressions. This means that either the situation on the ground or the attitude of OSCE states towards conflict parties has changed.

Code System	EU	Ukraine	US	Canada	Russia	UK	France	Armenia	SUM
Indicators\reaffirm	13	4	8	19	9	3	0	0	47
Indicators\condemn	6	8	0	0	2	2	0	0	18
Indicators\call upon	0	1	7	2	0	2	0	0	12
Indicators\urge	0	3	0	0	0	0	0	0	3
SUM	19	16	15	12	11	7	0	0	80

Figure 8 - Indicators by states

Figure 8 shows that most biased sentences are found in statements by the EU, namely 19, followed by Ukraine with 16, then US statements with 15. Canadian statements include 12 biased sentences, whereas Russian statements include 11 biased sentences. UK statements include seven biased sentences. France and Armenia's statements do not include biased expressions that were identified with the indicator codes, shown by the sum zero at the far-right columns.

The first sub-question has shown that bias is prominent in interpretative statements; 80 sentences were identified as biased. Moreover, an increase of statements is accompanied by a growth of biased remarks from 2014 to 2021. Bias is expressed through sentences that reaffirm, condemn, call upon and urge conflict parties. The findings confirm Lundgren and Svensson's argument that state's

interests and positions are apparent in IOs (2014). Yet only the positions of eight participating states can be analysed because they delivered interpretative statements. Out of these states, only six show bias in word. Therefore, the analysis entirely focuses on the states that show bias in their statements. Thus, it is not an exhaustive presentation of all state's positions among the OSCE but an in-depth investigation of biased OSCE states regarding the SMM.

6.2 Addressees of Bias

Bias is expressed in favour and disfavour of conflict parties. Figure 9 visualises the occurrence of addressees of bias from all 80 sentences.

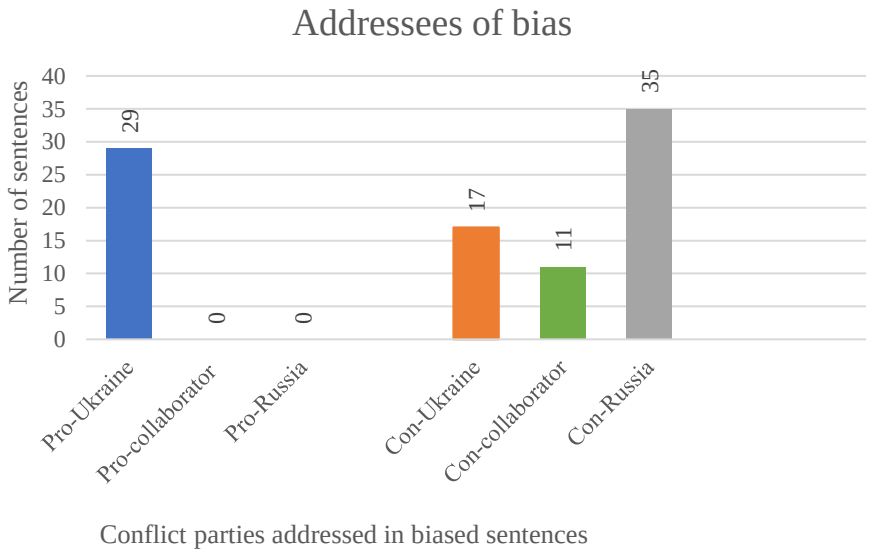

Figure 8 - Addressees of bias

When going from the left to the right side, the graph shows that bias in favour of conflict parties was expressed as pro-Ukraine in 29 cases, whereas bias against

warring parties was expressed more diversely. Seventeen comments are against Ukraine, 35 against Russia and 11 are against collaborators in Eastern Ukraine.[24]

Around 36 percent of biased sentences are in favour of Ukraine. The highest share comes from EU representatives on nine occasions. From the year of deployment until 2021, pro-Ukraine expressions triple. An example of pro-Ukraine bias is expressed by the EU representative, who declares: "We reiterate our unwavering support to Ukraine's independence, sovereignty, unity and territorial integrity within its internationally recognised borders" (PC.DEC/1199). This finding supports the results of Elgström et al. (2018) that the EU has been perceived to favour Ukraine. The interviewed decision-makers of their study attributed EU's partiality[25] to the EU's support for the SMM. This perceived partiality is confirmed by the high share of pro-Ukraine expressions by the EU representatives. The US expresses pro-Ukraine bias seven times which partially supports Landwehr's argumentation that the US has a strong bias towards Ukraine (2019). The support is only partial because Landwehr stresses that the US is fully biased in favour of Ukraine whereas the EU is perceived as slightly biased (Landwehr 2019: 304). However, the present analysis indicates that the EU expresses more bias in statements than the US. Additionally, Canada exhibits pro-Ukraine bias eight times. Bias by Canada is not discussed by scholars but Canada has imposed sanctions on Russia which could explain their position (Landwehr 2019: 299).

In addition to lacking statements in favour of Russia, no statement is in favour of the collaborators in Eastern Ukraine. Since Russia supported collaborators from the beginning, one might have expected a statement in favour of them. Thus, my results are diverging from Landwehr who argues that Russia is "clearly biased" towards the self-declared "republics" that represent the collaborators in Eastern Ukraine (ibid.: 304). Nonetheless, the lack of expressed favouritism is in line with other studies that repeatedly state how Russia is covering its support for the collaborators in Ukraine (see Twickel et al. 2018 or Hauter 2019). Since Russia

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[24] The number of sentences addressing a conflict party is higher than the total number of biased sentences because six comments are jointly against Russia, Ukraine, and Russian-backed forces. For better visualisation, they are grouped to each conflict party in the chart. Thus, these six sentences need to be deducted when counting the number of biased sentences in disfavour of conflict parties.
[25] Elgström uses partiality synonymously with bias.

officially supported the SMM, a statement in favour of the collaborators would rather disadvantage Russia.

Besides the categories government-biased, 'rebel-biased' and neutral mediators[26] by Svensson (2009), sentences disfavouring Ukraine emerged during coding. Seventeen sentences fit into this category, the majority by Russia. For example, the Russian interpretative statement condemns:

> In the light of Ukraine's violations of its human rights commitments under international law […] there is a need to increase the volume and quality of the SMM's reporting on the domestic political situation across Ukraine, and manifestations of nationalism and discrimination on various grounds. (PC.DEC/1323)

It might seem trivial to confirm Russian bias against Ukraine.[27] The number of expressions against Ukraine is comparatively constant during SMM's deployment and varies only between one or two sentences each year.

Around 44 percent of biased remarks are against Russia. The highest share is from Ukraine. The EU displays bias against Russia seven times, which is in line with their sanction policy, which has been imposed since 2014 (Landwehr 2019: 305). Both the US and Canada made only one demand on Russia, exemplified by the US who called on Russia to stop supporting 'separatists' with weapons, money and fighters (PC.DEC/1129). The UK's role is not discussed by scholars on bias, but the analysis shows that the UK blames Russia four times for SMM restrictions.

Notably, sentences in disfavour of Russia almost triple from the year of deployment until 2021. The last three years of deployment show more sentences against Russia than the first five PC decisions together. Thus, the increase of pro-Ukraine expressions, described before, happens parallel to expressions disfavouring Russia. The sentences in favour of Ukraine from 'Western countries' clash with Russian sentences in disfavour of Ukraine. The findings in this section support the following quote that Ukraine turned into a "geopolitical battleground between Russia and the West" (Biersack & O'Lear 2014: 248).

Comparatively insignificant is blame attributed to collaborators, namely around 14 percent. The collaborators were not referred to as such, but as "Russian-backed

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[26] The analytical findings about neutral sentences and the states expressing them can be requested from the researcher but are excluded in the analysis because of the focus on bias.

[27] However, since this study carries out a QlCA to detect bias in interpretative statements, even results that appear indisputable help to establish support for the applied method.

forces" in half of the sentences, and in the other half either as "Russia-backed separatists" or as "forces Russia arms, trains, leads, and fights alongside" (see PC.DEC/1162 – PC.DEC/1401). This shows that the collaborators are not perceived as an independent conflict party but their entanglement with Russia is acknowledged. Therefore, blame for collaborator's actions could be argued as bias against Russia. Notably, the OSCE did not treat Russia as an official party to the Donbas conflict (Härtel et al. 2021: 33), however, participating states are bypassing this official stance of the OSCE when clearly calling on Russia's perceived role in the conflict.

Usually a sentence addresses one conflict party, but six US statements address multiple actors. Between 2015 and 2021, with an exception in 2020, they call on "Ukraine, Russia, and Russian-backed forces". US bias disfavouring Ukraine is noteworthy, since it appears to contradict with Landwehr's argument that the US is a "mediator fully biased towards Ukraine" (2019: 304). Landwehr focuses on potential involvement of the US in the Normandy Format, and not on the US's position within the OSCE. However, the results show that despite Landwehr's findings, the US exhibited bias against Ukraine. This could point to differing roles of the US in the OSCE towards Ukraine than hypothetically in the Normandy Format. However, since pro-Ukraine bias by the US has been detected, it is more likely that states can bypass their potential bias and call on Ukraine's responsibility, too.

In sum, the identified addressees of bias cover both bias in favour and disfavour of warring parties. Whereas the former stems from scholarly definitions, the latter derives from the OSCE guide which states that impartiality is challenged when reporting includes blame to one of the parties. Most articulations are against Russia, and the collaborators, followed by bias in favour of the Ukrainian government.

6.3 Content of Bias

Describing the themes in biased sentences explores the contextual use of occurring themes. The following themes occur in biased sentences: international law, geography, threat, access, Russian action, mandate and others (see Figure 10).

These categories were further subdivided for a more differentiated analysis. This division was thematical, to display the years that covered themes, and to differentiate between OSCE states that expressed bias and to whom bias was addressed.

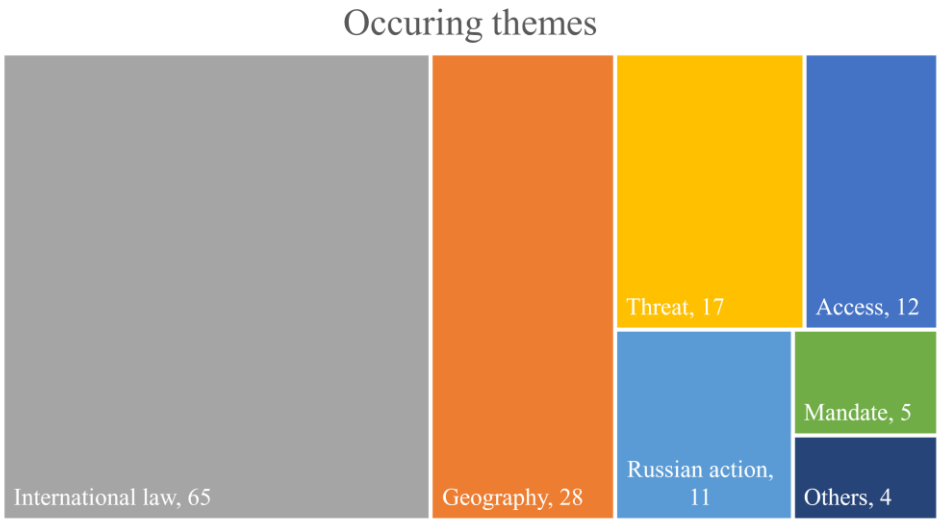

Figure 9 - Occurring themes

6.3.1 International Law

In the interpretative statements, international law is the largest category with 65 biased sentences. Notions to Ukraine's political sovereignty and territorial integrity are expressed 36 times. These comments favouring Ukraine are predominantly expressed by the EU representative, followed by Ukraine itself, Canada, the US, but also acknowledged by the UK. A similar cluster of states refers to Ukraine's internationally recognised borders including notions to international waters on 20 occasions.

Seven sentences by Russia lean on "political and legal realities" to restrict the area of deployment of the monitors. Notions to political and legal realities have been made annually from the deployment until 2019 and can all be attributed to Russia. According to Umland (2021), these expressions violate OSCE principles which acknowledge political sovereignty and territorial integrity of every OSCE state. Lastly, two very different references to human rights were made. Firstly, Russia condemns:

> Ukraine's violation of its human rights commitments under international law, including OSCE commitments, instances of flagrant violation of human rights in Ukraine, including discriminatory legislative measures adopted by the Ukrainian authorities infringing the linguistic, religious, cultural, educational and other rights of Ukrainian citizens […] (PC.DEC/1323)

Secondly, Ukraine urges Russia to provide access for the SMM to Crimea "where the dire human rights situation as well as Russia's ongoing illegal activities aimed at further militarization of the peninsula, require special international attention" (PC.DEC/1401). These two examples show strong accusations between Ukraine and Russia. Both accuse the other side of human rights violations.

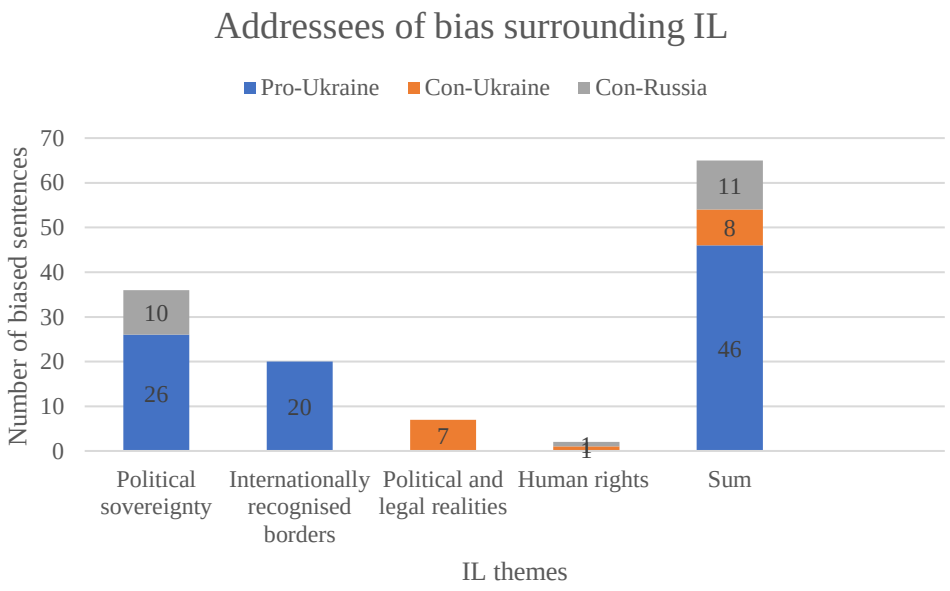

Figure 10 - Bias, IL

Figure 11 shows the distribution of sentences about the four subcategories of IL according to the conflict party bias is attributed to. The bars also show the frequency of the themes, sorted from left to right. Displaying the sum in the bar on the right side serves to express the addressees of bias that were found in sentences surrounding IL, namely pro-Ukraine (blue), con-Ukraine (orange) and con-Russian-bias (grey). In total, most remarks, namely 46, are in favour of Ukraine, then 11 times con-Russian bias follows, and con-Ukraine bias concludes with eight expressions.

6.3.2 Geography

The majority of sentences grouped to geography refer nine times to the illegal annexation of Crimea. The seven confirmations that the mandate covers Crimea were grouped to geography instead of the mandate section because of its underlying questions concerning territory. Opposing the expressions about illegal annexation and the mandate covering Crimea, Russia argues nine times that Crimea is part of Russia. This is exemplified by Russia stating that:

> the geographical area of deployment […] reflects the political and legal realities […] that the Republic of Crimea and the federal city of Sevastopol are an integral part of the Russian Federation. (PC.DEC/1289)

Like Umland (2021) pointed out, Russia considers Ukraine to be Russian territory. Expressions that recognise the annexation as illegal and advocate that the mandate includes Crimea, oppose the Russian stance. These contrary positions are primarily expressed between Russia and the EU. This shows that in its function as the EU representative, the EU represents the main voice opposing Russia. Opposing Russia in this conflict means leaning towards Ukraine. This finding backs the study of Elgström et al. (2018) about EU mediation activities in Ukraine. In their study, they show that "the EU was seen to deliberately favor Ukraine by taking a strict position towards Russia" (ibid.: 310). Even though their study does not discuss the EU's position within the OSCE, this perceived favouritism for Ukraine is mirrored in the findings here. Lastly, Donbas was alluded to as occupied by Russia twice and as "temporarily occupied parts of Donbas" once in Ukrainian statements (PC.DEC/1401).

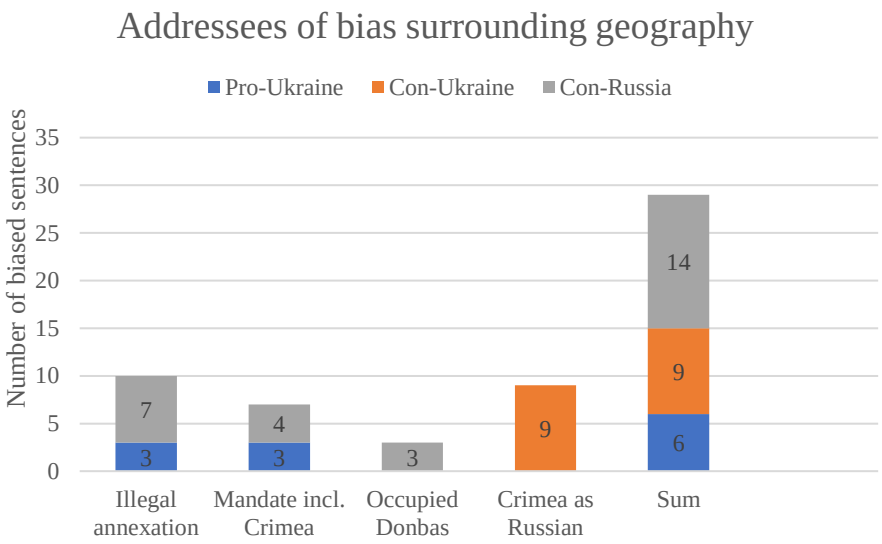

Figure 11 - Bias, geography

Figure 12 shows the distribution of sentences about the four subcategories of geography according to the conflict party the bias is attributed to. The bar on the right displays the sum of biased sentences with the previously attributed colours to warring parties. In total, most comments oppose Russia, namely 14, followed by nine articulations of disfavour of Ukraine, and six expressions in favour of Ukraine. Notably, Russia is the only state arguing that Crimea belongs to Russia. Also no state aligns to their statements. States condemning the illegal annexation and advocate that the mandate is covering Crimea are more prominent.

6.3.3 Threat

The US, Ukraine and Canada call on safety and security for the monitors and "strongly urge the Russian Federation to put an end" to threats, attacks, and intimidations of monitors 12 times (see PC.DEC/1162 – PC.DEC/1401). Whereas during the first year of deployment, threats were not addressed in biased comments, that changed since 2015 and increased both in 2019 and in 2021. Notably, notions to threat are either disfavouring Russia and Russian-backed troops, or are collectively in disfavour of Ukraine, Russia, and Russian-backed troops.

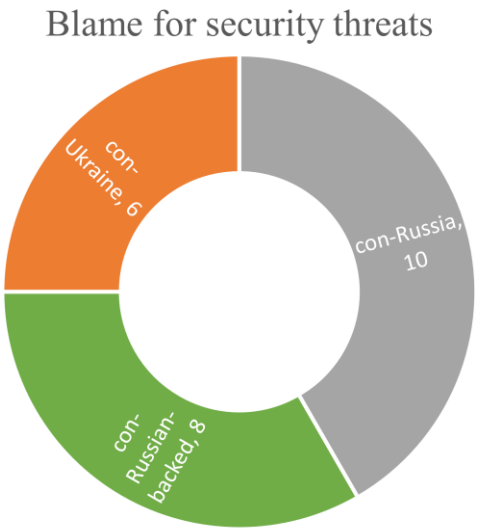

Figure 12 - Distribution of blame for security threats

Figure 13 shows the distribution of biased sentences that address security concerns for monitors. Russia is blamed 10 times for threats, Russian-backed troops eight times and Ukraine six times.[28] This shows the responsibility that is attributed to safety and security intimidations of SMM monitors. Oberson (2021) describes security threats that the SMM faces without connecting them to conflict actors whereas Umland illustrates threats carried out by "pro-Russian warlords" and "Russia-led separatists" (2021: 12).

Restrictions to SMM activities were criticised equally often by Ukraine and the UK and all restrictions were attributed to Russia. The following example, to "call on Russia to bring the restrictions that the SMM overwhelmingly faces in non-government controlled areas to an end", shows that OSCE states perceive strong influence of Russia on "non-government controlled areas" (PC.DEC/1366). This shows that Ukraine and the UK consider Russia, rather than Ukraine, to have influence over these territories without explicitly stating that. All four remarks about restrictions were made in the last two years of SMM deployment. One additional sentence in disfavour of Russia was by Ukraine to "condemn a new level of restrictions to the SMM's activities imposed by Russia under the pretext of countering the spread of COVID-19 in 2020" (PC.DEC/1366). This comment

[28] For better visualisation, the joint category of blaming the three parties is split up.

shows that the Covid-19 pandemic seems to have exacerbated pre-existing restrictions.

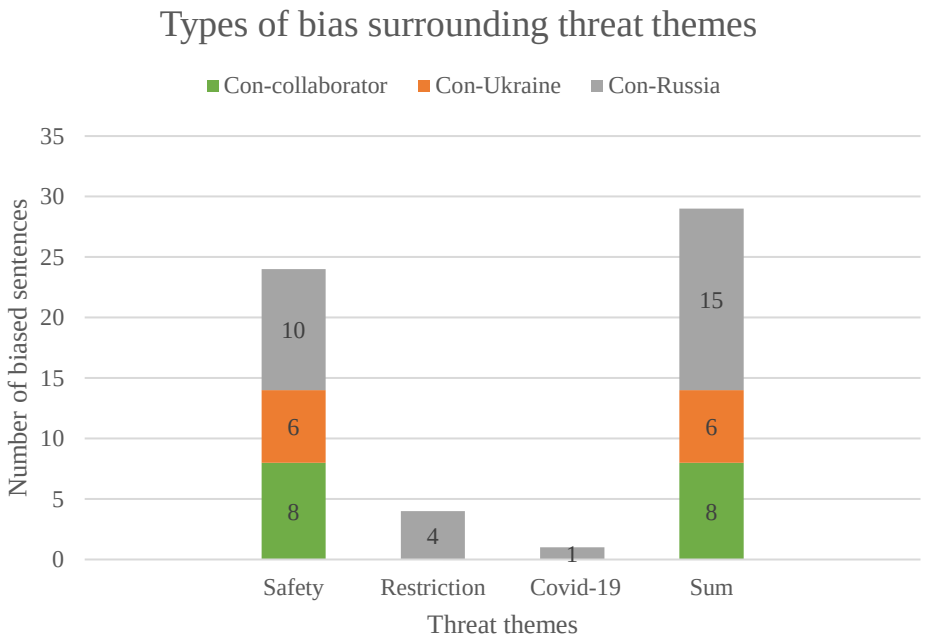

Figure 13 - Bias, threat

As seen in Figure 14, most accusations for safety infringements are attributed against Russia, followed by blame for collaborators and lastly, Ukraine. Impeded restrictions and also exacerbated restrictions under the pretext of the Covid-19 pandemic solely address Russia.

6.3.4 Access

Most sentences that demand better access for the monitors in Ukraine seek access throughout the territory and some denounce denied access to Donetsk and Luhansk. One sentence demands access to "temporarily occupied Crimea" (PC.DEC/1401). States' attention to access infringements support the studies of Härtel et al. (2021) and Umland (2021) who present that despite the mandate stating access throughout Ukraine, the mission had never access to Crimea and was repeatedly confronted with denied access in parts of Eastern Ukraine. Figure 15 shows the described themes regarding access and connects them to the conflict party that is blamed. 'Access' is the only category in which collaborators were more often mentioned for impeded infringements than Russia. Collaborators were blamed 11

times and Russia on seven occasions. The expressions against Ukraine are from the joint sentences, thus, Ukraine was not singled out as hindering access of monitors.

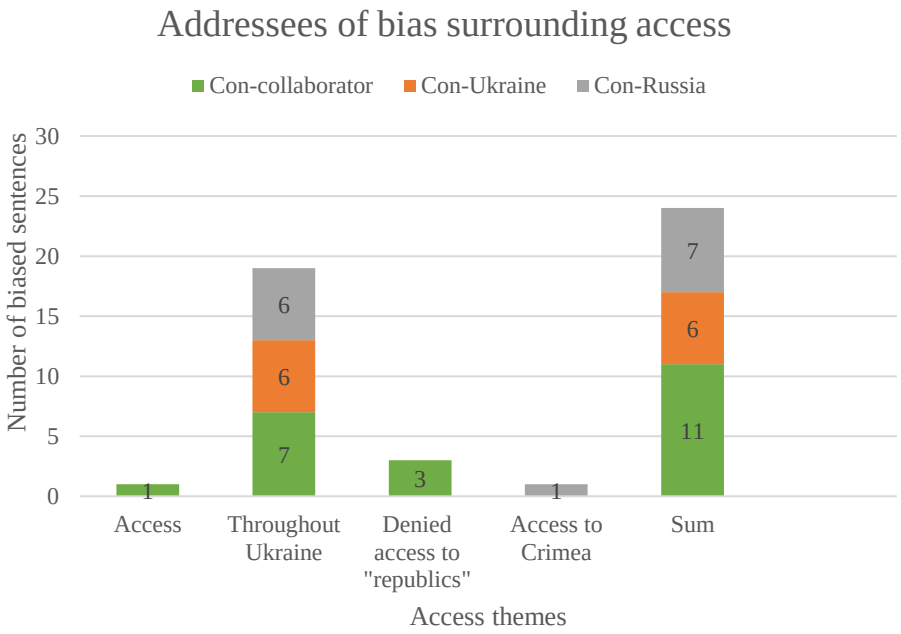

Figure 14 - Bias, access

Notably, only Ukraine specifically demands access to Crimea even though a lot of discussion was surrounding Crimea in terms of geography. A potential reason is that the US and Canada, who refer to access "throughout the entire territory of Ukraine", stress that the territory includes Crimea at a different stage in the statement (PC.DEC/1246).

6.3.5 Russian Action

Aggression by Russia was condemned nine times and once "Russia's ongoing illegal activities" (PC.DEC/1401).[29] The OSCE representatives denouncing Russian aggression are primarily Ukraine, then the EU and the UK. A comment by Ukraine describes support from the OSCE for "countering the severe consequences of the aggression pursued by the Russian Federation against Ukraine" (PC.DEC/1246).

[29] Graphs for the following three themes can be requested from the researcher.

The last two years of deployment show most expressions against Russian aggression. This could either be explained by an increase of actual violence by Russia or a changed course among the OSCE states. Between the extension in 2014 to 2016, Russian action was not mentioned. An explanation for this lack of references to Russian aggression has yet to be studied. Remarkably, the OSCE distances itself from the term "aggression" when referring to armed conflict in Eastern Ukraine and argues that is a term rather used by politicians (2021: 61). Contrary to that position, participating states use the term 'aggression' to denounce Russia, bypassing OSCE's official stance. Moreover, the US denounced Russian support for 'separatists' in 2014 and 2021. A notable pattern is that violence from the collaborators or Ukraine is not mentioned but only violence from Russia is condemned.

6.3.6 Mandate and Others

Notions to the mandate were only made within the last three years of the SMM. Two comments by Ukraine refer to the necessity to implement the mandate. The blame for hindrance is put on Russia as well as the responsibility "to put an end on them and to allow the SMM to implement its mandate" (PC.DEC/1366). The three sentences arguing that the mandate covers the Ukrainian-Russian border are posed by the EU and the UK, exemplified by reiterating that "the SMM mandate covers the whole of Ukraine, including illegally annexed Crimea and the Ukraine-Russia State border" (PC.DEC/1323). The necessity to observe the Ukrainian-Russian border to track the flow of weapons and other supply "from Russia to the non-government-controlled areas of Donbas" has been advocated as a decisive issue by Härtel et al. (2021: 25).

For the impeded purchase of additional drones to support technical monitoring, Russia was condemned by Ukraine in 2020. Despite the request to increase technical monitoring (see Umland 2021), this instance points to Härtel et al.'s finding that Russia attempted to slow down the mission (2021). The frustration of specific adoptions of PC declarations was condemned in 2015 and 2019. Russia was blamed for obstructing PC declarations twice whereas Ukraine was denounced once. The two states were blaming each other vice versa. Additionally, Russia

blamed the US for frustrating a PC decision that would have approved a part of the Minsk agreements. Russia was specifically blamed for its "unconstructive position" (PC.DEC/1162). Findings of accusations of obstructive policies of Russia towards the OSCE are in line with Kropatcheva's argumentation that already before the armed conflict in Ukraine, Russia showed disinterested and obstructive policies towards the OSCE (2012: 370).

In sum, the third sub-question shows that clear bias in favour of Ukraine has only been addressed regarding the themes IL, geography, and mandate. Notably, the different themes are used in accordance with preferences of the states. This means that, for example, IL has been used by different states for accusations. Additionally, Russian action has been condemned and more blame is attributed to Russia in most themes than to the collaborators. The only exception is when the US was jointly calling upon Ukraine, Russia, and Russian-backed forces for access for the monitors.

7 Discussion

The study's aim to examine the declared impartiality of the OSCE's SMM is realised since the analysis identifies blame on Ukraine, Russia, and the collaborators in Eastern Ukraine which are all parties to the Ukraine conflict 2014-2021. Attributing blame to conflict parties is contradictory to OSCE's principle of impartiality. Indeed, the findings of biased statements question the declared impartiality of the OSCE according to scholarly definitions of impartiality as "freedom from favouritism and bias in either word or action" (Stenner 2016: 268). However, the OSCE's working definition of impartiality as "even-handed conduct by the mediator towards the conflict parties" (2014: 45) cannot be challenged as this thesis was not considering actions of OSCE states but solely statements.

The analysis found apparent bias in the interpretative statements, both in favour and disfavour of conflict parties. Scholarly definitions on bias focus on the aspect of favouritism rather than disfavour of conflict sides (see for example Kydd 2003). Carnevale and Arad (1996: 41) mention that biased mediators could have negative effects on the disfavoured party, but the aspect of disfavour is not included in their definition of bias. Solely looking at favouritism of conflict sides overlooks the category of being 'against' a conflict party. It appears that the OSCE's working definitions of impartiality take this component into account. The OSCE emphasises that impartiality is infringed when fact-reporting attributes blame to warring parties.

To avoid misrepresentation of bias, expressions in favour of Ukraine were grouped separately from expressions that are against Russia. This study argues that grouping 'bias against Russia' together with 'bias in favour of Ukraine' would disregard the complexity of the armed conflict.

Overall, reviewed definitions on bias are inadequately addressing the role of bias in disfavour of conflict parties. However, this negative connotation is making up the largest share of biased sentences in the analysis, particularly with bias in disfavour of Russia. Therefore, scholarly definitions of bias should be extended to take bias against conflict parties into account. Despite adding the categories of bias

as disfavouring conflict parties, the pre-set categories deriving from the literature do not allow for in-betweens. This resulted in sentences being grouped as pro-Ukraine or against Ukraine, even though in reality there are most likely many shades in-between.

If the OSCE acknowledges the biased positions of its participating states, they might use it for their advantage in the long run. The finding of bias in statements of OSCE states are not necessarily destructive for the OSCE since numerous scholars advocate for the advantages of biased mediators (see Svensson 2009, Kydd 2003, Bercovitch & Gartner 2009, Arad & Carnevale 1994). This derives from the assumption that biased mediators have more leverage and information than unbiased mediators which can be used to bring the favoured party to agreements.

Can the OSCE be deemed a balanced IO? A hypothetical example of a balanced IO would be that the same number of OSCE states makes pro-Ukraine statements as states arguing in favour of the collaborators. According to Lundgren and Svensson (2014), a balanced OSCE would be more effective than if the IO overall leans either towards Ukraine or the collaborators. However, Lundgren and Svensson have measured effectiveness in terms of a negotiated settlement, which is not the focus of the more open-ended approach of dialogue facilitation of the SMM. The analysis shows that only bias in favour of Ukraine is present whereas bias in favour of collaborators is not found in the statements. Since Lundgren and Svensson overlook the aspect of disfavour, their definition of a balanced IO cannot be applied to the findings of this analysis.

Moreover precise categorisations of armed conflict are important, which this study illustrates. Empirical research on biased mediators lacks attention to conflicts that are not falling under the category of civil war. Thus, the announced distinction whether the armed conflict in Ukraine is an internal or external conflict is also relevant when considering bias in connection to conflict parties. As outlined in the background chapter, the armed conflict in Ukraine should be categorised as an international armed conflict rather than a civil war. The narrow grouping of pro-government or pro-rebel, suggested by Lundgren and Svensson (2014) overlooks the often more complicated reality of actors involved in armed conflict.

Overall, the QlCA reveals bias in interpretative statements which confirms the initial position that the monitoring mission with its mediation features should be looked at from a mediation perspective. This is in line with Schläpfer's (2016)

argument about the dual position of the SMM as a monitor and a mediator. That means the mediation framework in Ukraine enabled the SMM and in turn, the SMM was supporting mediators (ibid.: 340). Important for this double role of the SMM is that academic research on monitoring argues for strict impartiality. Impartiality, meaning reporting on ceasefire violations without favouritism for actions taken by involved parties, is essential for the monitoring role. However, the mediator role might benefit from bias, which is pointed out in the theory chapter. Thus, a collision between these two roles challenged the SMM.

8 Conclusions

This study explored how bias is expressed in interpretative statements concerning the Special Monitoring Mission to Ukraine. Among different mediator characteristics, this study scrutinises bias of participating states. This is particularly relevant because of the OSCE's declared impartiality which clashes with bias in word and action – according to scholarly definitions. Since diplomatic solutions, among which mediation is found, should always be given priority over an act of war, studying previous attempts of mediation including possible factors of influence can help understanding the processes behind success or failure.

Conclusions are drawn by linking the data back to the research question: *How is bias of OSCE states expressed in interpretative statements made in reaction to the extended Special Monitoring Mission to Ukraine?* A total of 111 sentences were identified as biased. Notably, the majority of these sentences are blaming Russia, followed by bias in favour of Ukraine. The highest share of biased expressions was by the EU, mostly in favour of Ukraine, which confirms the findings of Elgström et al. (2018) about perceptions of the EU as a mediator biased in favour of Ukraine. Disapproval of Ukraine was only apparent from Russia and in a few joint appeals by the US on Ukraine, Russia, and Russian-backed forces. The role attributed to collaborators, especially a differentiated view on the ties between Russia and collaborators in Eastern Ukraine is limited in the comments. Mostly, the collaborators are labelled as "Russian-backed forces", emphasising Russia's perceived responsibility. This contrasts with the OSCE's official position which does not treat Russia as a party to the conflict. The statements at the PC appear to bypass the OSCE's stance and attribute blame on Russia. Bias in favour of conflict parties could only be identified for Ukraine, which means that most comments reflect bias in disfavour of conflict parties. Since scholarly definitions are focused on "ties with one party", "their side", "closeness", or "aligned with one party" (Arad & Carnevale (1994), Elgström et al. (2018), Kydd (2003)), the findings of this study extend this focus to bias towards the disfavoured party.

The specific contribution to the research field is given through the QlCA which enabled an in-depth look into what the bias concerns. In the literature review, lack of attention to the interpretative statements compared to the SMM mandate was pointed out. This study addressed this gap and was able to confirm findings of other scholars, while also analysing them in a more differentiated manner. Most biased sentences are surrounding international law and questions of geography. Both themes are relevant for the area of SMM's deployment which supposedly covers Crimea which could not be accessed de facto. The focus on these themes exhibits the crux of the conflict: diverging views on Ukraine's sovereignty. Notably, international law is not used in neutral terms, but is interpreted differently depending on the conflict party.

This thesis has established that bias can be identified on different levels than through official support, such as sending weapons or troops. This is important because only if bias is identified at an early stage, future research can determine its effects. When carrying out the analysis of biased statements, a suggestion for further research emerged: A reason for the bias could be the diverging understanding of the armed conflict in Ukraine and its underlying causes. This means whether the armed conflict is viewed as an internal or an international armed conflict.

Moreover, this thesis argues for an extension of the definition of bias to widen the perspective on conflict parties. Since research has mostly focused on biased mediators in civil war, the analysis of statements about the international conflict in Ukraine is both a contribution to academic research as well as an extension for practitioners of international mediation. Another suggestion would be to analyse whether this breach between the OSCE arguing for impartiality and the actual disfavour of Russia and favour of Ukraine influenced the OSCE's mediation and monitoring mission. Particularly the effect of the detected bias among OSCE states should be further investigated to determine its influence on the SMM and for future mediation efforts of the OSCE. Developing on the dual position of a mediator and monitor will also be interesting for future research.

9 References

Arad, S. & Carnevale, P. J. (1994) Partisanship Effects in Judgments of Fairness and Trust in Third Parties in the Palestinian-Israeli Conflict. *Journal of Conflict Resolution* **38** (3), 423–451.

Benson, M. & Satana, N. (2009) Choosing Sides: UN Resolutions and Non-Neutrality. In: Bercovitch, J. & Gartner, S. S. (eds.) *International Conflict Mediation: New Approaches and Findings*. Routledge, Abingdon, UK, 135-156.

Bentzen, N. (2020) *Ukraine: The Minsk Agreements Five Years On*. European Parliamentary Research Service.

Bercovitch, J. & Gartner, S. S. (eds.) (2009) *International Conflict Mediation: New Approaches and Findings*. Routledge, Abingdon, UK.

Biersack, J. & O'Lear, S. (2014) The Geopolitics of Russia's Annexation of Crimea: Narratives, Identity, Silences, and Energy. *Eurasian Geography and Economics* **55** (3), 247–269.

Carnevale, P. J. & Arad, S. (1996) Bias and Impartiality in International Mediation. In: Bercovitch, J. (ed.) *Resolving International Conflicts: The Theory and Practice of Mediation*. Lynne Rienner Publishers, Inc., Colorado, pp. 39–53.

Chambliss, D. F. & Schutt, R. K. (2019) *Making Sense of the Social World: Methods for Investigation*, 6th edn. Sage Publications, Inc., Thousand Oaks, California.

Clayton, G. & Sticher, V. (2021) The Logic of Ceasefires in Civil War. *International Studies Quarterly* **65** (3), 1–14.

Creswell, J. W. (2014) *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 4th edn. Sage Publications, Inc., Thousand Oaks, California.

Elgström, O., Chaban, N., Knodt, M., Müller, P. & Pardo, S. (2018) Perceptions of the EU's Role in the Ukraine-Russia and the Israel-Palestine Conflicts: A Biased Mediator? *International Negotiation* **23** (2), 299–318.

Fischer, S. (2019) *The Donbas Conflict: Opposing Interests and Narratives, Difficult Peace Process*. German Institute for International and Security Affairs, Berlin.

Gent, S. E. & Shannon, M. (2011) Bias and the Effectiveness of Third-Party Conflict Management Mechanisms. *Conflict Management and Peace Science* **28** (2), 124–144.

Halperin, S. & Heath, O. (2020) *Political Research: Methods and Practical Skills*, 3rd edn. Oxford University Press, Oxford.

Härtel, A., Pisarenko, A. & Umland, A. (2021) The OSCE's Special Monitoring Mission to Ukraine: The SMM's Work in the Donbas and Its Ukrainian Critique in 2014-2019. *Security and Human Rights* **30**, 1–34.

Hauter, J. (2019) Delegated Interstate War: Introducing an Addition to Armed Conflict Typologies. *Journal of Strategic Security* **12** (4), 90–103.

Hsieh, H.-F. & Shannon, S. E. (2005) Three Approaches to Qualitative Content Analysis. *Qualitative health research* **15** (9), 1277–1288.

Kibiswa, N. (2019) Directed Qualitative Content Analysis (DQlCA): A Tool for Conflict Analysis. *The Qualitative Report* **24** (8), 2059–2076.

Kropatcheva, E. (2012) Russia and the Role of the OSCE in European Security: A 'Forum' for Fialog or a 'Battlefield' of Interests? *European Security* **21**, 370–394.

Kydd, A. (2003) Which Side Are You On? Bias, Credibility, and Mediation. *American Journal of Political Science* **47** (4), 597–611.

Kyselova, T. (2017) Professional Peacemakers in Ukraine: Mediators and Dialogue Facilitators before and after 2014. *Kyiv-Mohyla Law and Politics Journal* **3** (3), 117–136.

Landwehr, J. (2019) No Way Out? Opportunities for Mediation Efforts in the Donbas Region. *East European Politics* **35** (3), 291–310.

Lundgren, M. & Svensson, I. (2014) Leanings and Dealings: Exploring Bias and Trade Leverage in Civil War Mediation by International Organizations. *International Negotiation* **19** (2), 315–342.

Müller, R. (2002) Interpretative Statements at the Permanent Council: A Quantitative and Qualitative Analysis. *OSCE Yearbook 2002*, 347–359.

Neuendorf, K. A. (2002) *The Content Analysis: Guidebook*. Sage, London.

Oberson, F. (2021) OSCE Special Monitoring in Ukraine. In: Mihr, A. (ed.) *Between Peace and Conflict in the East and the West: Studies on Transformation and Development in the OSCE Region*. Springer International Publishing, Cham, pp. 47–75.

OSCE (2014) *Mediation and Dialogue Facilitation in the OSCE: Reference Guide*. OSCE Conflict Prevention Centre.

OSCE (2021) *A Peaceful Presence: The First Five Years of the OSCE SMM Ukraine*. OSCE Conflict Prevention Centre, Vienna.

OSCE (2022a) Chairman-in-Office and Secretary General expressed regret that no consensus reached on extension of mandate of Special Monitoring Mission to Ukraine. https://www.osce.org/chairmanship/514958. Accessed 4/3/2022.

OSCE (2022b) Who We Are. https://www.osce.org/who-we-are. Accessed 4/3/2022.

OSCE (2022c) OSCE Observer Mission at the Russian Checkpoints Gukovo and Donetsk (discontinued). https://www.osce.org/observer-mission-at-russian-checkpoints-gukovo-and-donetsk-discontinued. Accessed 4/3/2022.

PC.DEC/1117 (2014) Decision No. 1117: Deployment of an OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/d/6/116747.pdf. Accessed 5/4/2022.

PC.DEC/1129 (2014) Decision No. 1129: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/4/0/121532.pdf. Accessed 5/4/2022.

PC.DEC/1162 (2015) Decision No. 1162: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/3/b/144996.pdf. Accessed 5/4/2022.

PC.DEC/1199 (2016) Decision No. 1199: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/4/5/223926.pdf. Accessed 5/4/2022.

PC.DEC/1246 (2017) Decision No. 1246: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/6/8/306376.pdf. Accessed 5/4/2022.

PC.DEC/1289 (2018) Decision No. 1289: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/6/8/306376.pdf. Accessed 5/4/2022.

PC.DEC/1323 (2019) Decision No. 1323: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. Accessed 5/4/2022.

PC.DEC/1366 (2020) Decision No. 1366: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/5/1/449092.pdf. Accessed 5/4/2022.

PC.DEC/1401 (2021) Decision No. 1401: Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine. https://www.osce.org/files/f/documents/0/0/484139.pdf. Accessed 5/4/2022.

Schläpfer, C. (2016) Ukraine Crisis and Mediation. *Security and Human Rights* **27** (3-4), 327–341.

Stenner, C. (2016) Understanding the Mediator: Taking Stock of the OSCE's Mechanisms and Instruments for Conflict Resolution. *Security and Human Rights* **27** (3-4), 256–272.

Svensson, I. (2009) Who Brings Which Peace? *Journal of Conflict Resolution* **53** (3), 446–469.

Trilateral Contact Group (2015) Package of Measures for the Implementation of the Minsk Agreements. https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_150212_MinskAgreement_en.pdf. Accessed 5/4/2022.

Tsybulenko, E. & Francis, J. A. (2018) Separatists or Russian Troops and Local Collaborators? Russian Aggression in Ukraine: The Problem of Definitions. In: Sayapin, S. & Tsybulenko, E. (eds.) *Use of Force against Ukraine and International Law: Jus Ad Bellum, Jus In Bello, Jus Post Bellum*. T.M.C. Asser Press, The Hague, pp. 123–144.

Twickel, N. von, Sasse, G. & Baumann, M. (2018) The Armed Conflict in Eastern Ukraine. *Russian Analytical Digest* **214**, 1–13.

UCDP (2020) Ukraine. https://ucdp.uu.se/country/369. Accessed 5/13/2022.

Umland, A. (2021) *Achievements and Limitations of the OSCE's Special Monitoring Mission to Ukraine*. The Swedish Institute of International Affairs, Stockholm.

Vuković, S. (2011) Strategies and Bias in International Mediation. *Cooperation and Conflict* **46** (1), 113–119.

Wallensteen, P. & Svensson, I. (2014) Talking Peace. *Journal of Peace Research* **51** (2), 315–327.

Wutich, A. & Gravlee, C. C. (2012) Water Decision-makers in a Desert City: Text Analysis and Environmental Social Science. In: Vaccaro, I., Smith, E. A. & Aswani, S. (eds.) *Environmental Social Sciences: Methods and Research Design*. Cambridge University Press, Cambridge, pp. 188–211.

10 Appendix

10.1 Codebook

Codes from Benson and Satana (2009) to detect sentences that are biased or neutral:

Codes	Sub-codes and description	Example	Example 2
Reaffirm	Codes for "reaffirm" are extended to include "recall" and "reiterate" because of their similar usage to strengthen or confirm something previously declared (see Merriam-Webster dictionary). The codes were extended to include "proceeds on the basis", "proceeds from the assumption", "takes the position", and "regards adoption". This was deemed necessary after the pilot coding to adjust the codes to the different standardised language by the participating states.	We wish to *reiterate* our full support for Ukraine's sovereignty and territorial integrity within its internationally recognized borders.	The Russian Federation *proceeds from the assumption* that the geographical area of deployment and activities of the mission in question is strictly limited by the parameters of the mandate as adopted today.
Condemn	Codes for "condemn" are extended to "regret" and include sentences that condemn an actor or act without using the wording "condemn". This was deemed necessary after the pilot coding to adjust the codes to the different standardised language by the participating states. "Condemn" declares something "to be reprehensible, wrong, or evil usually after weighing evidence and without reservation" (see Merriam-Webster dictionary).	We strongly *condemn* the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression of the Russian armed forces (…)	*This aggression constitutes* a flagrant breach of imperative norms of international law, the Helsinki Final Act, bilateral and multilateral agreements (…)
Call upon	Codes for "call upon" are extended to include "call for" and "call on" because of their similar usage to make a request or demand. "Call upon" is used synonymously with "call on" (see Merriam-Webster dictionary). "Call for" points to the component that something is required as necessary which describes a request as well.	We *call upon* the Russian federation to cease providing weapons, financing, and fighters to the separatists.	We *call on* Ukraine, Russia, and the Russia-backed separatists to ensure that the Special Monitoring Mission has unfettered movement (…)
Urge	Includes only direct references to "urge" which describes sentences that "present, advocate, or demand earnestly or pressingly" which includes certain expectations to act (see Merriam-Webster dictionary).	We strongly *urge* the Russian Federation to lift all restrictions and put an end to attacks, threats and intimidation (...)	We remain seriously concerned of the ongoing and increasing attacks, (…) and we strongly *urge* the Russian Federation to put an end to them and to allow the SMM to implement its mandate.

Codes from Svensson (2009), to connect bias to warring parties and detect neutral sentences, extended through inductive coding to include sentences against conflicting parties (inspired by Benson & Satana (2009):

Codes	Sub-codes	Description	Example
PROGOV		PROGOV = Pro-government as in bias in favour of the Ukrainian government. It is activated if a direct reference to the Ukraine government is made.	We reiterate our *unwavering support to Ukraine's independence*, sovereignty, unity and territorial integrity within its internationally recognized borders.
PROCOL		PROCOL= Pro-collaborator is activated if a participating state of an intergovernmental organisation has "preferences closer to the ideal point of the rebels" (Lundgren & Svensson 2014: 322), coded if a direct notion is in favour to the collaborators	N.A.
NEUTRAL	0ACT	0ACT = Zero actors, meaning that no actor to the conflict is mentioned. The code "neutral" is evoked whenever the sentence "addresses a conflict (1) without mentioning any parties to the conflict or (2) with no judgment of any mentioned parties" (Benson & Satana 2009: 141).	We condemn *any unilateral actions which jeopardize the safety of the SMM* monitors or damage their equipment, including the targeting of SMM unmanned aerial vehicles.
	ALL	ALL = all sides or all parties, meaning that not a particular actor is singled out.	We call on *all parties involved to take action* to reduce tensions and resolve any disputes peacefully through diplomatic means.
CONGOV		CONGOV = Sentence that is against (contra) the Ukraine government.	In the *light of Ukraine's violation of its human rights commitments* under international law (…).
CONRUS		CONRUS = Sentence that is against (contra) Russia. Statements against Russia and the Russian Federation are treated synonymously.	We strongly *condemn Russia's aggressive actions against Ukraine*, including its illegal annexation of the Autonomous Republic of Crimea (…).
	BACK	BACK = (Russia and) Russian-backed forces and Russia-backed formations	(…) and we *regret that Russia-backed armed formations* continue to systematically deny access for the SMM to certain parts of Donetsk and Luhansk.
CONGOVRUS		CONGOVRUS = Sentence that is against Ukraine (CONGOV), Russia (RUS) and Russian-backed forces. The latter can either be describes as Russian-backed separatists or as forces that Russia arms, trains etc.	We call *on Ukraine, Russia, and the forces Russia arms, trains, leads, and fights alongside*.

Codes from literature about OSCE's Special Monitoring Mission to Ukraine, extended through findings in the interpretative statements:

Codes	Subcodes	Description	Example
IL	HR	= Human rights, includes notions to Human Rights (abbreviated as HR), either in support of respect for HR or to condemn HR violations	In the light of Ukraine's *violation of its human rights commitments (…).*
	INTRECBOR + WAT	= Internationally recognised borders and territorial waters, includes notions to either or both of themes	The United States reaffirms its firm commitment to Ukraine's sovereignty and territorial integrity within its *internationally recognized borders, including its territorial waters*.
	POLREAL	= political reality, includes notions to political and legal realities	In conclusion, we should like to recall that the geographical area of deployment and activities of the SMM is strictly limited by the parameters of its mandate, which *reflects the political and legal realities* existing since 21 March 2014 as a result of the fact that the Republic of Crimea and Sevastopol have become an integral part of the Russian Federation.
	SOV	= sovereignty, includes notions to sovereignty and territorial integrity, unity and independence and territorial integrity, inviolability of frontiers and non-intervention in internal affairs of Ukraine	In this connection, we wish to reiterate our full *support for Ukraine's sovereignty and territorial integrity.*
ACCESS	THROUGH	= throughout Ukraine, includes notions to access throughout Ukraine, movement throughout the entire territory of Ukraine, access in all of Ukraine, access throughout the mandate area	We call on Ukraine, Russia, and the forces Russia arms, trains, leads, and fights alongside, to ensure that the SMM has unfettered movement throughout the entire territory of Ukraine (…)
	CRIM	= Crimea, includes notions that demand access to Crimea	We strongly urge the Russian Federation to lift all restrictions to the SMM's activities (…) and *provide access of the Mission's monitors to the temporarily occupied Crimea* (…).
	REP	= Republics of Donetsk and Luhansk, includes notions to denied access in Donetsk and Luhansk	(…) and we regret that Russia-backed armed formations continue to systematically *deny access for the SMM to certain parts of Donetsk and Luhansk.*

GEO-GRAPHY	CRIMRUS	= Crimea as Russia includes notions to geographical areas (GEO) of deployment when Crimea and Sevastopol are described as integral parts of Russia. For that purpose, the sentence after the sentence is also considered because it clarifies the understanding of the geographical area of deployment	In conclusion, we should like to recall that the *geographical area of deployment and activities of the SMM is strictly limited* by the parameters of its mandate, which reflects the political and legal realities existing since 21 March 2014 *as a result of the fact that the Republic of Crimea and Sevastopol have become an integral part of the Russian Federation.*
	ILLANNEX	= illegal annexation, includes notions to the annexation of Crimea in 2014 as illegal	In this respect, we also reiterate that we will not recognize *Russia's illegal annexation of Crimea*.
	OCCDON	= occupied Donbas, includes notions to the occupied parts of Donbas	(…) put an end to the threats and intimidation that the SMM's monitors encounter systematically in the *Russia-occupied parts of Donbas.*
	MANDCRIM	= mandate Crimea, includes notions that states that the SMM mandate covers Crimea	(…) we reiterate that the SMM *mandate covers the whole of Ukraine, including Crimea*.
MANDATE	BORD	= covers borders, which includes notions that the mandate includes the Ukraine-Russia-State border.	We further reiterate that the SMM *mandate covers* the whole of Ukraine, including illegally annexed Crimea and the *Ukraine-Russia State border*.
	IMPL	= implement, includes notions that the implementation of the mandate is necessary	(...) to put an end to them and to allow the SMM *to implement its mandate.*
THREAT	SAFE	= safety, includes notions to safety and/or security problems, threats, intimidations and attacks	(…) *to guarantee the safety and security of SMM monitors* as they carry out their duties.
	RESTR	= restrictions, includes notions to restriction in non-government controlled areas and restrictions to SMM activities	We call on Russia to bring the *restrictions that the SMM overwhelmingly faces in non-government controlled areas* to an end.
	COVID	= Covid-19, includes notions to the pandemic which is described as a threat	In this context, we also condemn a new level of restrictions to the SMM's activities imposed by Russia *under the pretext of countering the spread of COVID-19 in 2020* (…)
RUSSIAN ACTION	AGGR	= aggression, includes notions to aggression from the Russian side but also to Russia's illegal activities	We strongly condemn *Russia's aggressive actions* against Ukraine.
	SUPPORT	= support for 'separatists' includes notions to forces that Russia "arms, trains, leads, and fights alongside" and forces that Russia provides	We call upon the Russian Federation *to cease providing weapons, financing, and fighters to the separatists.*

		with "weapons, financing, and fighters".	
OTHERS	PC	= Permanent Council declaration, includes notions to the frustration of other PC declarations as well as the lack of specific provisions in PC decisions	We regret that we are *unable to adopt a Permanent Council Declaration* in support of SMM in view of unconstructive position of the Russian Federation.
	TECH	= technical monitoring, includes notions to hindered purchase of additional technical assets	We regret that the *purchase of additional mid-range UAVs of increased technical capability* was undermined by the Russian Federation.