



Organization for Security and Co-operation in Europe

---

M A D R I D

---

2007

## **Fifteenth Meeting of the Ministerial Council**

**29 and 30 November 2007**

**Statements and declarations by the Ministerial Council**

**Decisions of the Ministerial Council**

**Perception papers by the Chairmanship**

**Statements by delegations**

**Reports to the Ministerial Council**

**Madrid 2007**

30 November 2007

ENGLISH

MC15EW72

## TABLE OF CONTENTS

	<u>Page</u>
I. STATEMENTS AND DECLARATIONS BY THE MINISTERIAL COUNCIL	
Ministerial Declaration on the OSCE Partners for Co-operation .....	3
Ministerial Statement .....	5
Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy .....	6
Madrid Declaration on Environment and Security .....	10
II. DECISIONS OF THE MINISTERIAL COUNCIL	
Decision No. 1/07 on the extension of the mandate of the OSCE Representative on Freedom of the Media .....	15
Decision No. 2/07 on the appointment of the OSCE High Commissioner on National Minorities .....	16
Decision No. 3/07 on issues relevant to the Forum for Security Co-operation .....	17
Decision No. 4/07 on OSCE engagement with Afghanistan .....	19
Decision No. 5/07 on public-private partnerships in countering terrorism .....	23
Decision No. 6/07 on protecting critical energy infrastructure from terrorist attack .....	25
Decision No. 7/07 on the follow-up to the Fifteenth Economic and Environmental Forum: water management .....	27
Decision No. 8/07 on combating trafficking in human beings for labour exploitation .....	29
Decision No. 9/07 on combating sexual exploitation of children on the Internet .....	32
Decision No. 10/07 on tolerance and non-discrimination: promoting mutual respect and understanding .....	34
Decision No. 11/07 on OSCE chairmanships in 2009, 2010 and 2011 .....	37
Decision No. 12/07 on the time and place of the next meeting of the OSCE Ministerial Council .....	39
III. PERCEPTION PAPERS BY THE CHAIRMANSHIP	
Chairmanship's perception paper on an OSCE action plan on the threats and opportunities in the area of environment and security .....	43
Chairmanship's perception paper on OSCE basic norms and principles in the field of security sector governance/reform .....	47

	Draft convention on the international legal personality, legal capacity, and privileges and immunities of the OSCE.....	65
IV.	STATEMENTS BY DELEGATIONS	
	Statement by the Delegation of the Russian Federation .....	81
	Statement by the Delegation of Greece .....	82
	Statement by the Delegation of Belarus.....	84
	Statement by the Delegation of Lithuania .....	85
	Statement by the Delegation of the Russian Federation .....	86
	Statement by Portugal on behalf of the European Union .....	87
	Statement by the Delegation of Lithuania .....	89
	Statement by the Delegation of Ukraine.....	90
	Statement by the Delegation of Ukraine.....	91
	Statement by the Delegation of the Russian Federation .....	92
	Statement by the Delegation of Turkey .....	94
	Statement by the Delegation of Georgia.....	95
	Statement by the Delegation of Moldova .....	96
V.	REPORTS TO THE MINISTERIAL COUNCIL	
	Letter from the Chairperson of the Forum for Security Co-operation to the Minister for Foreign Affairs and Co-operation of Spain, Chairperson of the Fifteenth Meeting of the Ministerial Council .....	99
	FSC Chairperson’s progress report to the Ministerial Council on further implementation of the OSCE Document on Stockpiles of Conventional Ammunition.....	104
	FSC Chairperson’s progress report to the Ministerial Council on further implementation of the OSCE Document on Small Arms and Light Weapons.....	124
	Letter from the Chairperson of the Open Skies Consultative Commission to the Minister for Foreign Affairs and Co-operation of Spain, Chairperson of the Fifteenth Meeting of the Ministerial Council .....	136
	Letter from the Head of the High-Level Planning Group to the Minister for Foreign Affairs and Co-operation of Spain, Chairperson of the Fifteenth Meeting of the Ministerial Council .....	138
	Report to the Fifteenth Meeting of the Ministerial Council on the implementation of the Agreement on Sub-Regional Arms Control (Article IV, Annex 1-B, Dayton Peace Accords).....	141

**I. STATEMENTS AND DECLARATIONS BY THE  
MINISTERIAL COUNCIL**



## **MINISTERIAL DECLARATION ON THE OSCE PARTNERS FOR CO-OPERATION**

(MC.DOC/1/07 of 30 November 2007)

1. We, the Ministers for Foreign Affairs of the OSCE participating States, welcome the increased engagement by the Partners for Co-operation in the OSCE, noting that, over the years, a solid foundation has been laid for a strengthened partnership. We should build further on the Helsinki Final Act 1975, Helsinki Document 1992, the Budapest Document 1994, the Charter for European Security 1999, the 2003 OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, Ministerial Council Decision No. 17/04 on the OSCE and its Partners for Co-operation, and other relevant documents and decisions, which underlined the importance of dialogue and co-operation with the Partners for Co-operation, exploring the scope for wider sharing of OSCE norms, principles and commitments with them.
2. We remain concerned about threats to security and stability within and around the OSCE area. We reiterate the interdependence between the security of the OSCE area and that of the Partners for Co-operation, and we encourage further efforts to strengthen the relationship between the Partners for Co-operation and the participating States in order to increase our ability to respond to new and traditional threats to security.
3. We support the efforts of the Partners for Co-operation to promote the OSCE's norms, principles and commitments in their regions, and encourage them to take further steps towards their voluntary implementation. We call on the Partners for Co-operation to report on their implementation in appropriate OSCE meetings. We advocate the development of the annual Mediterranean Seminars and Conferences with the Asian Partners for Co-operation into effective channels of communication between countries in different regions. We encourage the Partners to continue engaging on issues of common relevance to the OSCE and their regions. We also advocate increased sharing of the OSCE's experience in preventive diplomacy and confidence-building measures as well as further interaction with relevant regional organizations.
4. We encourage the OSCE Chairmanship to make full use of the possibility to invite Partners for Co-operation to attend meetings of the decision-making bodies, as well as of relevant informal subsidiary bodies on a case-by-case basis, and to make oral and/or written contributions, in accordance with the OSCE Rules of Procedure. In this respect, we commend the efforts undertaken by the Chairmanships of the Permanent Council and of the Forum for Security Co-operation to facilitate regular attendance by the Partners for Co-operation in the meetings of the two bodies.
5. We will, through the respective Contact Groups, keep the Partners for Co-operation regularly informed on discussions on relevant Ministerial Council decisions. We invite the Chairpersons of the Contact Groups to inform the Permanent Council about topical matters and to submit yearly reports to the Ministerial Council. In the spirit of paragraph 49 of the Charter for European Security, we also encourage the Permanent Council to examine the recommendations emerging from the Contact Groups and the Mediterranean Seminars and the OSCE Conferences with the Asian Partners for Co-operation.

6. We proceed from the understanding that further OSCE engagement with the Partners for Co-operation will be carried out within available resources and avoid duplication of efforts by other international organizations.

7. We take note with appreciation of the outcome of the 2007 OSCE-Mongolia Conference on Strengthening the Co-operative Security between the OSCE and the Asian Partners for Co-operation. We call for examination of the wider applicability of the recommendations and suggestions stemming from this Conference. We look forward to the next OSCE conference with the Asian Partners for Co-operation.

8. We equally look forward to the 2007 Mediterranean Seminar on Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding, to take place in Tel Aviv, Israel, on 18 and 19 December 2007.

9. We welcome the initiative taken by the Chairmanships of the Contact Groups in organizing the first Joint Meeting of the Contact Groups to assess the state of co-operation between the OSCE and its Partners for Co-operation.

10. We encourage the Partners for Co-operation to increase their interaction with the participating States and the OSCE executive structures in all three dimensions. In this context, the exchange of information on best practices and lessons learned could be further enhanced, in particular, by creating opportunities to involve experts from the Partners for Co-operation in OSCE activities. We stand ready to examine requests from the Partners for Co-operation for assistance in areas where the OSCE has particular expertise.

11. We welcome the decision by the Permanent Council on the establishment of a Partnership Fund, which will facilitate further promotion of the engagement of the Partners for Co-operation. We encourage the participating States and the Partners for Co-operation to contribute to it.

12. Recalling Permanent Council Decision No. 233 of 11 June 1998, we invite the Partners for Co-operation to send observers to participate in election observation missions, and call on the ODIHR and the OSCE Parliamentary Assembly to make arrangements to include them in election monitoring organized by the OSCE.

13. We welcome the initiative by the OSCE Parliamentary Assembly to hold an annual Parliamentary Forum on the Mediterranean, and encourage it to consider holding Asian Forums as well. We also encourage the Partners for Co-operation to participate in these events.

14. We encourage the OSCE Chairmanship and the chairpersons of the Contact Groups, together with the Secretary General, to continue supporting the dialogue with the Partners for Co-operation and to facilitate their contacts with OSCE executive structures in order to address common threats to security and stability and to promote the voluntary implementation of OSCE norms, principles and commitments.

15. Recalling Permanent Council Decision No. 430 of 19 July 2001, we remain open to considering future applications for partnership from interested countries.



## **MINISTERIAL STATEMENT**

(MC.DOC/2/07 of 30 November 2007)

We note with satisfaction that Armenia and Azerbaijan agreed to continue the ongoing negotiations on the settlement of the Nagorno-Karabakh conflict during the forthcoming election year.

We support the mediation efforts of the Co-Chairmen of the OSCE Minsk Group, and their development with the parties of a set of basic principles for the peaceful settlement of the conflict. We are strongly encouraging both sides to overcome the last remaining differences and thereby to endorse the overall concept of the settlement and to proceed on this basis with drafting a comprehensive Peace Agreement.

**MINISTERIAL STATEMENT ON  
SUPPORTING THE UNITED NATIONS GLOBAL  
COUNTER-TERRORISM STRATEGY**

(MC.DOC/3/07 of 30 November 2007)

1. We, the members of the Ministerial Council of the OSCE, remain concerned about the persistent terrorist threat in the OSCE area.
2. We reaffirm the existing OSCE counter-terrorism commitments and the intention to maintain our counter-terrorist activities as priorities for the OSCE.
3. We recognize the leading role of the United Nations in the international efforts against terrorism and support the UN Global Counter-Terrorism Strategy adopted on 8 September 2006 by the UN General Assembly, which we look upon as providing guidance for OSCE counter-terrorism activities, since the Strategy outlines a comprehensive global approach towards countering terrorism by addressing not only its manifestations, but also the conditions conducive to its spread, within a framework based on human rights and the rule of law and complying with all obligations under international law, in particular international human rights law, refugee law and humanitarian law.
4. We recall the comprehensive global approach of the Strategy towards countering terrorism by addressing not only its manifestations, but also the conditions conducive to its spread, including but not limited to, prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism.
5. We note that the UN General Assembly encourages regional organizations “to support the implementation of the Strategy, including through mobilizing resources and expertise”.
6. We recall the commitment to implement all UN Security Council resolutions related to international terrorism, recognizing that many States continue to require assistance in their implementation.
7. We support the OSCE Secretariat’s work to promote the implementation of the Strategy, in particular the annual high-level consultations between representatives of the Council of Europe, the Organization for Security and Co-operation in Europe and the United Nations (Vienna, February 2007) in the “Tripartite-Plus” format, as well as the roundtables for counter-terrorism practitioners from regional organizations and counter-terrorism centres in Copenhagen (July 2006) and Vilnius (June 2007), organized by the OSCE Action against Terrorism Unit.
8. We are satisfied that the OSCE approach to the fight against terrorism corresponds to that of the UN Strategy, because, among other things, it promotes the rule of law, respect for human rights and effective criminal justice systems, all of which constitute the fundamental basis of our common fight against terrorism, and that all our counter-terrorist activities could be seen as a contribution to the Strategy’s implementation. The OSCE, in particular its participating States, assisted when necessary by the Secretariat, institutions and field

presences, will continue to implement counter-terrorism commitments and could focus, albeit not exclusively, on the following activities:

9. The OSCE will continue promoting the international legal framework against terrorism, in particular the universal anti-terrorism conventions and protocols, encouraging participating States to become parties to them and to implement their obligations under these instruments;

10. After conducting, in the period 2005–2007, in co-operation with the UN Office on Drugs and Crime (UNODC), a number of workshops at the OSCE-wide, subregional and national levels, aimed at enhancing international legal co-operation in criminal matters related to terrorism on the basis of the principle of extradite or prosecute, and recognizing the emphasis the UN Strategy places on prosecution and related judicial co-operation, the Secretariat will continue its legal co-operation programme with particular — though not exclusive — attention to training assistance to judicial officials at the subregional and national levels;

11. Participating States will use the Forum for Security Co-operation to continue promoting, in close co-operation with the UN Security Council 1540 Committee, full implementation of UN Security Council resolution 1540 (2004) given the threat of proliferation of weapons of mass destruction in the hands of terrorists. The FSC will also strengthen co-operation in combating the risk emanating from illicit trafficking in small arms and light weapons (SALW), including man-portable air defence systems, and conventional ammunition. Participating States will work towards full implementation of relevant existing politico-military commitments, in particular those contained in the Code of Conduct on Politico-Military Aspects of Security and the OSCE Document on Small Arms and Light Weapons;

12. Having developed a comprehensive programme on travel document security, which fully corresponds to the call of the UN Strategy to step up efforts and co-operation to improve security of manufacturing and issuing of identity and travel documents, the OSCE Action against Terrorism Unit will strengthen its efforts to facilitate the deployment of technical platforms for accessing Interpol's stolen and lost travel documents database at border control points, will encourage States to report data on lost and stolen documents to Interpol, and will continue to promote technological upgrades of travel documents and the implementation of a comprehensive and secure handling and issuance process, in line with ICAO standards, that protects identity and strengthens civil registry systems which would respect the principle of non-discrimination;

13. Participating States will co-operate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe haven to and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates in or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides safe havens. Participating States will take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts. They will ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and

that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

14. Remaining seriously concerned about the use of the Internet for terrorist purposes, the OSCE participating States will continue the exchange of information about this threat, and take other measures in accordance with Ministerial Council Decision No. 7/06 on countering the use of the Internet for terrorist purposes;

15. The OSCE will support efforts by the UN Counter-Terrorism Committee/Counter-Terrorism Committee Executive Directorate to advance implementation of UN Security Council resolution 1624 (2005);

16. The OSCE will continue its participation in processes for the resolution of protracted conflicts, which are among the conditions conducive to terrorism;

17. The OSCE will continue its activities in countering violent extremism and radicalization that lead to terrorism. Intolerance and discrimination must be addressed and countered by the OSCE's participating States and OSCE's executive structures within their respective mandates. The Permanent Council, with the support of the Secretariat and institutions, will consider in 2008 how the OSCE, with a multidimensional approach, could contribute to the development of a better understanding of the phenomena of violent extremism and radicalization that lead to terrorism, through sharing of national experiences;

18. The OSCE will continue its activities aimed at promoting supply chain security, especially by supporting and facilitating the capacity-building work of the World Customs Organization in implementation of the Framework of Standards to Secure and Facilitate Global Trade and will endeavour to serve as a platform for co-ordination and co-operation between relevant international organizations and national authorities for the development and application of an integrated approach to supply chain security;

19. The OSCE will remain committed to the promotion of public-private partnerships in countering terrorism and will continue involving the private sector (civil society and the business community) in its counter-terrorism activities;

20. The Office of the Co-ordinator of OSCE Economic and Environmental Activities will continue, in co-operation with the UN Office on Drugs and Crime (UNODC), the World Bank, the Financial Action Task Force (FATF), the Euro-Asian Group (EAG) and other relevant partners, to provide assistance to participating States, at their request, in building up their capacity to counter terrorist financing, by, *inter alia*, the strengthening of financial control mechanisms and the implementation of the nine special FATF recommendations on terrorist financing and the 40 FATF recommendations on money laundering;

21. Working in close co-operation with UNODC, the OSCE will remain seized of the threat of illicit drugs, following up on activities successfully carried out in 2006 and 2007 on this issue;

22. The Office for Democratic Institutions and Human Rights will continue to assist participating States, at their request, in ensuring that their counter-terrorism initiatives are human rights compliant, pursuant to their OSCE commitments. The ODIHR will continue to offer technical assistance and advice on the human rights aspects of the drafting and

implementation of national legislation aimed at countering the threats posed by terrorism, violent extremism and radicalization that lead to terrorism, and will continue to facilitate dialogue between State and non-governmental actors with a view to exploring areas of co-operation and mutual assistance;

23. The OSCE institutions will continue their overall effort aimed at combating intolerance and discrimination and promoting mutual respect and understanding, *inter alia* through projects and programmes involving all sectors of society;

24. The OSCE will continue addressing the issue of solidarity with the victims of terrorism, drawing, *inter alia*, on Permanent Council Decision No. 618 on solidarity with victims of terrorism and taking note of the High-Level Meeting on Victims of Terrorism held in Vienna in September 2007.

25. We reiterate that the OSCE, including its Secretariat, institutions and field presences, is ready to work closely with the United Nations system, and other international and regional organizations for the implementation of the UN Global Counter-Terrorism Strategy. The OSCE will continue supporting the UN in its counter-terrorism efforts and will co-operate with other international and regional organizations active in this area, facilitating their capacity-building assistance to participating States, supporting and promoting their counter-terrorism and security standards, identified as best practices for countering terrorism as well as contributing to networking between counter-terrorism practitioners from participating States and international and regional organizations to bring about better co-operation and synergies in their work, thus making its contribution to the global effort against terrorism.

## **MADRID DECLARATION ON ENVIRONMENT AND SECURITY**

(MC.DOC/4/07 of 30 November 2007)

The OSCE Ministerial Council,

Recalling the provisions of the 2003 OSCE Strategy Document for the Economic and Environmental Dimension (Maastricht Strategy) in the area of environment and security,

Recalling the 1975 Helsinki Final Act, the 1990 Concluding Document of the CSCE Conference on Economic Co-operation in Europe (Bonn Document), the 1999 Charter for European Security adopted at the Istanbul Summit, the already-mentioned 2003 OSCE Strategy Document for the Economic and Environmental Dimension, other OSCE relevant documents and decisions regarding environmental issues, and the outcome of all previous Economic and Environmental Fora, which have established a basis for the OSCE's work in the area of environment and security,

Taking account of the environmental risks, notably those related to land degradation, soil contamination, desertification and water management, and the environmental impact of natural and man-made disasters, such as the Chernobyl accident, which may have a substantial impact on security in the OSCE region and which might be more effectively addressed within the framework of multilateral co-operation, and recalling the outcome of the Fifteenth Economic and Environmental Forum,

Recognizing that climate change is a long-term challenge; acknowledging that the United Nations climate process is the appropriate forum for negotiating future global action on climate change, and the OSCE, as a regional security organization under Chapter VIII of the UN Charter, has a complementary role to play within its mandate in addressing this challenge in its specific region,

Recalling the final declaration of the Sixth Ministerial Conference "Environment for Europe", held in Belgrade, which recognizes that addressing common environmental problems offers opportunities for co-operation amongst governments diffusing tension and contributing to a greater co-operation and security, and that environmental co-operation may contribute to peace-building process, and also noting the continued work and the lessons learned from the demand-driven Environment and Security Initiative (ENVSEC) in participating States,

Recognizing the importance of good environmental governance for the governments of participating States,

Reiterating the determination of all the participating States to further strengthen co-operation aiming at reducing environment-related security risks, amongst each other and with other international and regional institutions and organizations working in the area of environment, *inter alia*, the United Nations and its specialized agencies, programmes and conventions and the OSCE Partners, and focusing on the OSCE's added value and avoiding duplications,

Recalling the Ministerial Council Decision No. 12/06 on Energy Security Dialogue in the OSCE, the Ministerial Council Decision No. 11/06 on the Future Transport Dialogue in the OSCE and welcoming the theme of the Sixteenth Economic and Environmental Forum “Maritime and inland waterways co-operation in the OSCE area: Increasing security and protecting the environment”,

Affirming that co-operation on environmental issues may serve as a tool to prevent tensions, to build confidence and to promote good neighbourly relations in the OSCE region,

Has come to the following conclusions:

1. We highlight the importance of enhancing co-operation in the area of environment and security in the OSCE region.
2. Environmental degradation, including both natural and man-made disasters, and their possible impact on migratory pressures, could be a potential additional contributor to conflict. Climate change may magnify these environmental challenges.
3. Environmental co-operation and the promotion of early warning could be useful tools in diminishing tensions as part of a broader effort to prevent conflict, build mutual confidence and promote good neighbourly relations.
4. The OSCE, within its mandate, financial and human resources and capacity has a potential for widening and deepening its co-operation with other international organizations working in the area of environment and thereby making contributions to deal with future relevant risks and challenges in the OSCE region.
5. The OSCE should consider bringing better focus to its existing activities on environmental matters and utilize more effectively its institutional capacity and its transboundary co-operative arrangements in this field.
6. The OSCE could raise awareness on the potential impact on security of environmental challenges, by using its forum for dialogue and exchange of experiences and best practices and also by integrating these considerations into its activities.
7. We commend the Spanish Chairmanship initiative to make the Madrid Ministerial Council a carbon neutral event and welcome any voluntary carbon offsetting programmes including other OSCE initiatives in this regard.
8. We reaffirm our commitment to improve environmental governance, *inter alia*, by strengthening the sustainable management of natural resources, especially water, soil, forests and biodiversity.
9. We underline the importance of further implementing the OSCE Document on Stockpiles of Conventional Ammunition and the recommendations of the OSCE Handbook of the Best Practice Guides on Stockpiles of Conventional Ammunition in all aspects relating to the risks for the environment.
10. We commend the OSCE, in co-operation with relevant international organizations, to support, within existing resources, regional and transboundary co-operation on the

rehabilitation of the land contaminated as a result of the Chernobyl disaster both to prevent the radionuclide migration and to promote the natural recovery processes.

11. We note the 2007 Spanish Chairmanship proposal of an action plan on the threats and opportunities in the area of environment and security.

Participating States may further elaborate, if deemed necessary, common response to environmental challenges, fully taking into account the OSCE mandate and capabilities and focusing on the OSCE's added value and avoiding duplication.



## **II. DECISIONS OF THE MINISTERIAL COUNCIL**



**DECISION No. 1/07**  
**EXTENSION OF THE MANDATE OF THE**  
**OSCE REPRESENTATIVE ON FREEDOM OF THE MEDIA**  
(MC.DEC/1/07 of 7 March 2007)

The Ministerial Council,

Recalling Permanent Council Decision No. 193 of 5 November 1997 on establishing an OSCE Representative on Freedom of the Media,

Considering that the first term of office of the current Representative on Freedom of the Media comes to an end on 9 March 2007,

Underlining the important contribution of Mr. Miklós Haraszti to the promotion of the freedom of expression and free media in the OSCE area,

Taking into account the recommendation of the Permanent Council,

Decides to extend the mandate of Mr. Miklós Haraszti as OSCE Representative on Freedom of the Media until 10 March 2010.

**DECISION No. 2/07**  
**APPOINTMENT OF THE OSCE HIGH COMMISSIONER**  
**ON NATIONAL MINORITIES**  
(MC.DEC/2/07 of 4 July 2007)

The Ministerial Council,

Recalling the decision of the CSCE Helsinki Summit 1992 to establish a High Commissioner on National Minorities,

Considering that, according to Ministerial Council Decision No. 1/04, the mandate of Mr. Rolf Ekéus as OSCE High Commissioner on National Minorities expired on 30 June 2007,

Expressing its gratitude to the outgoing OSCE High Commissioner on National Minorities, Mr. Rolf Ekéus, for his contribution to the work of the OSCE and to developing the activities of the OSCE,

Taking into account the recommendation of the Permanent Council,

Decides to appoint Mr. Knut Vollebaek as OSCE High Commissioner on National Minorities for a period of three years with effect from 5 July 2007.

**DECISION No. 3/07**  
**ISSUES RELEVANT TO THE**  
**FORUM FOR SECURITY CO-OPERATION**  
(MC.DEC/3/07 of 30 November 2007)

The Ministerial Council,

Recalling Decision V of the CSCE Helsinki Document 1992, which established the Forum for Security Co-operation, and reaffirming that the participating States will ensure that their efforts in the Forum towards arms control, disarmament and confidence- and security-building, security co-operation and conflict prevention are coherent, interrelated and complementary,

Recalling Ministerial Council Decision No. 3, adopted at the Ninth Meeting of the Council, in Bucharest in 2001, on Fostering the Role of the OSCE as a Forum for Political Dialogue that, *inter alia*, tasked the Forum for Security Co-operation with addressing those aspects of new security challenges which fall within its mandate, and updating its activities accordingly,

Desirous of further building upon the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted by the Eleventh Meeting of the Ministerial Council, the OSCE Document on Small Arms and Light Weapons, the OSCE Document on Stockpiles of Conventional Ammunition, the Code of Conduct on Politico-Military Aspects of Security and the relevant decisions adopted in the framework of the Forum for Security Co-operation,

Recognizing the security and safety risks posed by the presence of stockpiles of conventional ammunition, explosive material and detonating devices, including liquid rocket fuel, in surplus and/or awaiting destruction in some participating States in the OSCE area, and reaffirming the will of the OSCE participating States to continue providing assistance regarding the destruction of these stockpiles and/or the upgrading of stockpile management and security practices for participating States that request it,

Determined to continue enhancing the implementation of the existing confidence- and security-building measures in the framework of the Vienna Document 1999, taking into account the evolving nature of threats to security and stability in the OSCE area,

Also determined to continue enhancing the implementation of the Code of Conduct on Politico-Military Aspects of Security,

1. Welcomes, within the Forum for Security Co-operation:
  - The efforts aimed at strengthening the implementation of existing confidence- and security-building measures in the OSCE area;
  - The active and topical discussions held in 2007 on regional and subregional issues under the Security Dialogue;

- The discussions at the special meetings of the Forum on combating the illicit trafficking of small arms and light weapons by air, held on 21 March 2007; on civil-military emergency preparedness, held on 26 September 2007; and on existing and future arms control and confidence- and security-building measures in the OSCE area, held on 24 October 2007, and takes note of the chairpersons' reports on these meetings;
  - The progress achieved so far in the ongoing work in the Forum for Security Co-operation to develop best practice guides related to stockpiles of conventional ammunition, and best practice guides for implementation of United Nations Security Council resolution 1540 (2004), on non-proliferation of weapons of mass destruction;
  - The progress reports on the further implementation of the OSCE Document on Stockpiles of Conventional Ammunition and on the further implementation of the OSCE Document on Small Arms and Light Weapons, as submitted to the Fifteenth Meeting of the Ministerial Council pursuant to Decision No. 8/06, adopted at the Fourteenth Meeting of the Ministerial Council;
  - The ongoing work in the FSC on efforts to further improve the implementation of the Code of Conduct on Politico-Military Aspects of Security;
  - The decision adopted by the Forum for Security Co-operation, declaring its support for the Global Initiative to Combat Nuclear Terrorism;
2. Calls upon the Forum for Security Co-operation to continue its efforts to address these issues in a comprehensive manner, reflecting the OSCE's concept of co-operative security and working in concert also, when appropriate, with other international fora;
3. Requests the Forum for Security Co-operation to submit, through its Chairperson, progress reports to the Sixteenth Meeting of the Ministerial Council in 2008 on the following:
- The continuing implementation of the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Stockpiles of Conventional Ammunition;
  - Efforts to further improve the implementation of the Code of Conduct on Politico-Military Aspects of Security;
  - Efforts in the field of arms control agreements and confidence- and security-building measures in accordance with its mandate.

**DECISION No. 4/07**  
**OSCE ENGAGEMENT WITH AFGHANISTAN**

(MC.DEC/4/07/Corr.1 of 30 November 2007)

The Ministerial Council,

Taking note of the request by Afghanistan (PC.DEL/922/07 from 21 September 2007) that the OSCE provide assistance to the country in the fields of border security, police training and combating drug trafficking,

Seriously concerned that the situation in Afghanistan is having an impact on security in the OSCE area,

Recognizing the primary role of the United Nations Security Council in maintaining global security and stability, and with a view to supporting the goals set forth in the Afghanistan Compact, agreed to at the London Conference on Afghanistan in 2006,

Acknowledging the contribution of the United Nations as well as of regional arrangements under Chapter VIII of the United Nations Charter and of other international organizations, such as, *inter alia*, NATO, EU, CSTO and other relevant international actors as well as participating States actively engaged in Afghanistan and desirous of complementing their efforts also in order to avoid unnecessary duplication,

Recalling the 1975 Helsinki Final Act, which states the close link between peace and security in Europe and in the world as a whole,

Also recalling the 1999 Charter for European Security, which states that “the OSCE is the inclusive and comprehensive organization for consultation, decision-making and co-operation in its region”,

Taking into consideration the status of Afghanistan as a Partner for Co-operation of the OSCE, and recalling the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted in 2003 at the Eleventh Meeting of the Ministerial Council, in Maastricht, which states that “the OSCE will intensify its co-operation with its Mediterranean and Asian Partners for Co-operation, by early identification of areas of common interest and concern and possibilities for further co-ordinated action”,

Recalling Permanent Council Decision No. 571 of 2 December 2003 on further dialogue and co-operation with the Partners for Co-operation and exploring the scope for wider sharing of OSCE norms, principles and commitments with others, and Ministerial Council Decision No. 17/04 of 7 December 2004,

Recalling Ministerial Council Decision No. 5/05, encouraging the Partners for Co-operation to implement voluntarily the OSCE commitments to combat the threat of illicit drugs,

Recalling the OSCE Border Security and Management Concept, adopted in 2005 at the Thirteenth Meeting of the Ministerial Council, in Ljubljana, which states that the

provisions of the Concept will be shared by the Partners for Co-operation, on a voluntary basis,

Taking note of the OSCE project to train Afghanistan's anti-drug police officers in Domodedovo, launched on 12 November 2007,

Convinced that long-term security and stability in Afghanistan is of the utmost importance for the OSCE region, in particular for Central Asia,

Stressing the particular responsibility of the Government of Afghanistan for security and stability in the country and the important role of the International Security Assistance Forces in assisting Afghan authorities on these matters,

Underscoring the importance of contributing to international efforts to combat terrorism and trafficking in small arms and light weapons, illegal drugs, and human beings,

1. Within available resources, tasks the Secretary General with examining the prospects for intensifying OSCE action to support measures for securing the borders between the Central Asian participating States and Afghanistan in line with the objectives and principles set forth in the OSCE Border Security and Management Concept;
2. Further tasks the Secretary General with exploring all possible co-operation options, in co-ordination with the United Nations and other relevant regional and international organizations and other actors, and making proposals, as appropriate, for further actions by the Permanent Council;
3. Encourages the OSCE field operations in Central Asia, in consultation with their host governments, to intensify the involvement of Afghan counterparts in their relevant activities;
4. Tasks the Secretary General with providing support for intensifying the involvement of Afghan counterparts in OSCE activities, such as those related to the fields of border security and management, policing and the fight against drug trafficking, and those at the educational and training facilities in Central Asia and in the rest of the OSCE area, and with developing specific projects and programmes for Afghan counterparts in the OSCE area, as necessary and without unnecessary duplication of existing efforts, including those of international actors such as the UN Office on Drugs and Crime;
5. Encourages the Secretary General and OSCE field operations in Central Asia to co-ordinate with relevant regional organizations with a view to avoiding unnecessary duplication and reinforce mutual efforts;
6. Endorses the Permanent Council Decision on combating the threat of illicit drugs, *inter alia* tasking the Secretary General with conducting in 2008 a follow-up training project for Afghanistan's anti-drug police officers in Domodedovo;
7. Encourages the participating States and Partners for Co-operation to contribute to activities in the above-mentioned fields;
8. Tasks the Permanent Council with remaining seized of the matter and with researching and evaluating options for future engagement with Afghanistan upon its request.



**Attachment 1 to MC.DEC/4/07/Corr.1**

**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the Delegation of the Netherlands:

“While it has joined the consensus on the Ministerial Council decision on OSCE Engagement with Afghanistan, the Netherlands deplores the fact that, during the Ministerial Council meeting in Madrid, the participating States were not able to reach consensus on the report and its annex submitted by the Chairperson of the informal working group at expert level tasked with finalizing a draft convention on the international legal personality, legal capacity and privileges and immunities of the OSCE. Adoption of the text of this draft convention without footnotes would have paved the way towards providing the OSCE with a legal personality and a legal status, thus giving the OSCE recognition as a fully fledged international organization.

We request that this statement be attached to the decision adopted and be included in the journal of today’s meeting.”

**Attachment 2 to MC.DEC/4/07/Corr.1**

**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1 (A) 6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the Delegation of Ukraine:

“In connection with the Decision on OSCE Engagement with Afghanistan, the Delegation of Ukraine would like to make the following interpretative statement:

Ukraine joins the consensus on this decision and welcomes its adoption. We have consistently supported the OSCE engagement with Afghanistan and consider this activity as one of the OSCE’s priorities. We strongly believe that our Organization with its expertise and experience will make a significant contribution to securing and managing the borders between Afghanistan and the Central Asian participating States, in particular in the fields of policing, the fight against drug-trafficking, and illegal migration. We also support the active engagement of the international community in Afghanistan on the basis of the principle of complementarity and upon the request of the Afghan Government.

However, we would like to clarify our views in relation to the reference to international regional organizations in this or any other OSCE document. Development of co-operation between the OSCE and other international structures and/or acknowledgement of their contributions in the OSCE documents require an in-depth preliminary assessment of their purposes and role in the OSCE region with the participation of all sides concerned. Given the fact that during formal and informal consultations on the text of the said decision this rule was not followed with regard to one international regional organization, we emphasize that mentioning the Collective Security Treaty Organization in the text of the decision adopted does not establish a precedent.

We request that this interpretative statement be attached to the journal of the day.”

**DECISION No. 5/07**  
**PUBLIC-PRIVATE PARTNERSHIPS IN COUNTERING TERRORISM**  
(MC.DEC/5/07 of 30 November 2007)

The Ministerial Council,

Reaffirming the intention to maintain counter-terrorist activities among the priorities of the OSCE,

Acknowledging that States are primarily responsible for preventing and countering terrorism and for managing the consequences of terrorists acts, but should draw on the support of the business community and civil society as a whole to successfully counter those threats,

Reaffirming the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law and complying with applicable obligations under international law, in particular international human rights law, refugee law and humanitarian law,

Recognizing the significance of public-private partnerships (PPPs) in countering terrorism, as highlighted in the United Nations Global Counter-Terrorism Strategy, the G8 initiative to establish and foster anti-terrorist partnerships of States and the business community, its "Global Forum for Partnerships between States and Businesses to Counter Terrorism" (Moscow, November 2006) and the resulting International Strategy,

Welcoming the efforts of the OSCE, its Secretariat and institutions, to involve the private sector (civil society and the business community) in its counter-terrorist activities, and noting the Chairman-in-Office's summary of the OSCE Political Public-Private Partnership Conference held in Vienna in May/June 2007 (CIO.GAL/81/07/Corr.1),

Recognizing the role of media and educational institutions in encouraging pluralistic debate with a view to promoting ethnic, religious, linguistic and cultural diversity and countering violent extremism and radicalization leading to terrorism, and in this regard welcoming the work of the OSCE Representative on Freedom of Media and the ODIHR in these fields,

Acknowledging the usefulness of joint counter-terrorist efforts by government bodies and the private sector (civil society and the business community) in the form of voluntary co-operation, based upon the principles of partnership and mutual trust, in order to provide better security and clear benefits to all parties. In this regard, efforts should particularly take due account of:

- Promoting economic stability and security and addressing the underlying factors, such as social, political, and conditions which terrorists exploit,
- Promoting tolerance, human rights, the rule of law, democracy, good governance and inter-cultural dialogue,

- Promoting public awareness and outreach through the media and educational institutions, while respecting cultural and religious diversity,
- Identifying, prioritizing, and protecting critical infrastructure and addressing preparedness/consequence management issues,
- Countering the financing of terrorism *inter alia* by supporting the Financial Action Task Force (FATF) and other relevant institutions,

Decides to:

1. Task the Secretary General and OSCE institutions to continue to promote the involvement of the private sector (civil society and the business community) in their counter-terrorist activities, where relevant and appropriate;
2. Task the Secretary General to organize in 2008 in Vienna, in co-ordination with the Chairmanship-in-Office and OSCE institutions, a follow-up OSCE PPP conference “Partnership of State Authorities, Civil Society and the Business Community in Combating Terrorism”;
3. Invite participating States as well as the OSCE Partners for Co-operation to exchange information and best practices on PPPs in countering terrorism and task the Secretary General, upon receipt, to disseminate this information through the Counter-Terrorism Network.

**DECISION No. 6/07**  
**PROTECTING CRITICAL ENERGY INFRASTRUCTURE**  
**FROM TERRORIST ATTACK**  
(MC.DEC/6/07 of 30 November 2007)

The Ministerial Council,

Reaffirming the OSCE participating States' commitments to prevent and combat terrorism in all its forms and manifestations,

Gravely concerned with the growing risk of terrorist attack on critical infrastructure, which, if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of citizens,

Determined to support the United Nations Global Counter-Terrorism Strategy, which, *inter alia*, encourages Member States "to step up all efforts to improve the security and protection of particularly vulnerable targets, such as infrastructure and public places, as well as the response to terrorist attacks and other disasters, in particular in the area of civil protection",

Recognizing that critical energy infrastructure, including nuclear power-plants, dams of hydroelectric power plants, oil and gas producers, refineries, transmission facilities, supply routes and facilities, energy storage facilities as well as hazardous waste storage facilities, can be vulnerable to terrorist attack,

Willing to support the implementation of the G8 Action Plan on the Global Energy Security adopted in St. Petersburg in 2006, which promotes international co-operation to address threats to and vulnerabilities of critical energy infrastructure,

Noting Brussels Ministerial Council Decision No. 12/06 on energy security dialogue in the OSCE,

Recalling the outcome of the OSCE Political Conference on Public-Private Partnership in Countering Terrorism (31 May and 1 June 2007, Vienna),

Convinced that effective co-operation among participating States to protect critical energy infrastructure from terrorist attack would enhance security and stability in the OSCE region,

Determined to contribute to the enhancement of critical energy infrastructure protection from terrorist attack in addition to and in support of the efforts undertaken in relevant international organizations and structures,

1. Calls upon participating States to consider all necessary measures at the national level to ensure an adequate protection of critical energy infrastructure from terrorist attack;
2. Urges participating States to continue co-operation amongst them and to better co-ordinate measures to increase protection of critical energy infrastructure from terrorist attack;

3. Encourages participating States to further promote public-private partnership with business communities with a view to increasing critical energy infrastructure protection against terrorist attack and to effectively address preparedness/consequence management issues in this field;
4. Tasks the Secretary General to examine and report to the Permanent Council on opportunities for co-operation with relevant international organizations, including the International Atomic Energy Agency, in the field of protection of critical energy infrastructure from terrorist attack;
5. Invites the Secretary General to consider facilitating the exchange of best practices and the timely sharing of information on, and effective responses to, terrorist threats to the security of critical energy infrastructure without duplicating the activities already carried out by the relevant international organizations;
6. Invites the Permanent Council to remain seized of this issue and include it for consideration in the framework of relevant meetings and discussions within the OSCE;
7. Encourages the Partners for Co-operation to voluntarily implement the provisions of this decision.

**DECISION No. 7/07**  
**FOLLOW-UP TO THE FIFTEENTH ECONOMIC AND ENVIRONMENTAL FORUM: WATER MANAGEMENT**  
(MC.DEC/7/07 of 30 November 2007)

The Ministerial Council,

Reaffirming the commitments in the OSCE's economic and environmental dimension,

Taking note of the work done in the ongoing process of improving the efficiency and effectiveness of the Economic and Environmental Forum, and bearing in mind the importance of appropriate follow-up to Economic and Environmental Forums,

Taking into account the Strategy Document for the Economic and Environmental Dimension adopted by the Ministerial Council in Maastricht (2003),

Recognizing the importance of co-operation on the management of water resources to the enhancement of regional economic and environmental co-operation and stability in the OSCE area,

Drawing upon the outcome of the Fifteenth OSCE Economic and Environmental Forum,

Noting the previous OSCE experiences with regard to integrated river basin management, for example in the Sava river basin and the Chu and Talas Rivers, as well as the lessons learned from the demand-driven Environment and Security Initiative (ENVSEC),

Welcoming the existing co-operation between the OSCE and other international organizations, in particular with the United Nations Economic Commission for Europe (UNECE), and recognizing the importance of further strengthening co-operation with other relevant international organizations and institutions on a case-by-case basis, in close consultation with the participating States,

Considering that, within its comprehensive approach to security, the OSCE might make contributions, as appropriate and within its capacity, in the field of water management by, *inter alia*:

- Providing a framework for dialogue with regard to the possible further development of water management co-operation networks, where relevant, if so requested and agreed by the participating States concerned,
- Contributing to relevant international events related to water management, and in particular the Review Session on Water at the Sixteenth Session at the UN Commission on Sustainable Development in New York in May 2008, the International Expo on Sustainable Development and Water Management in Zaragoza, Spain, from June to September 2008, and the Fifth World Water Forum which will be held in Istanbul, Turkey, from 15 to 22 March 2009,

- Encouraging continued partnerships between participating States and with relevant international organizations that focus on water management,
- Paying attention to transboundary issues of water management, where relevant, if so requested and agreed by all riparian countries concerned,
- Promoting a wide dissemination of best practices and facilitating the implementation of standards developed by relevant international organizations in the field of water management, as well as better co-ordination in this area among participating States and partner organizations,
- Striving to promote good public and corporate governance and combating corruption in the area of water management,
- Promoting wider public participation, as well as a better civil society and business community participation in the area of water management related matters, where applicable,

Decides to:

1. Endeavour to enhance the existing co-operation between the OSCE and the UNECE, within their respective mandates and in accordance with the framework of the Memorandum of Understanding between the two organizations, as well as the existing co-operation with other relevant international organizations on water management related matters;
2. Encourage participating States to strengthen dialogue and co-operation on water management within the OSCE;
3. Task the OSCE structures, within the framework of their mandates, to support the participating States, upon their request, in the implementation of relevant OSCE commitments, taking into account the role played by relevant international organizations;
4. Encourage participating States to consider the ratification of existing international environmental legal instruments related to water management and relevant to the OSCE region and support their full implementation by participating States that are parties to them.



**DECISION No. 8/07**  
**COMBATING TRAFFICKING IN HUMAN BEINGS**  
**FOR LABOUR EXPLOITATION**

(MC.DEC/8/07 of 30 November 2007)

The Ministerial Council,

Reaffirming our determination to combat all forms of trafficking in human beings, as well as reaffirming the commitments that the participating States have undertaken in the field of combating trafficking in human beings and the resolve to implement them,

Recalling the tasking of the Brussels Ministerial Council Decision No. 14 to consider ways to further strengthen efforts to combat trafficking in human beings, including for labour exploitation (MC.DEC/14/06),

Reaffirming furthermore the OSCE Action Plan to Combat Trafficking in Human Beings, which provides participating States with a comprehensive toolkit for combating all forms of trafficking in human beings by protecting victims, preventing trafficking in human beings and prosecuting those who facilitate or commit the crime,

Reiterating the support of the participating States for the ratification and implementation of the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children,

Seriously concerned that trafficking in human beings remains widespread in the OSCE region and beyond, despite national and international efforts to prevent it and to bring to justice those responsible,

Recognizing the need to strengthen further the framework of OSCE commitments to address the challenges of trafficking for labour exploitation,

Recognizing the vulnerability of children to trafficking for labour exploitation and the special needs of child victims,

Emphasizing that policies and practices to address trafficking for labour exploitation, which arises within the formal and informal economy, should be comprehensive and therefore include enforcement of labour laws,

Underlining that measures to address trafficking for labour exploitation should be formulated with and encourage greater participation of labour actors, including workers and employers organizations, labour administrators and inspectors,

Reaffirming the OSCE commitments concerning travel document security,

Recognizing that persons with irregular immigration status are likely to be more vulnerable to trafficking for labour exploitation,

Reaffirming the need to ensure respect for human rights and in this context recalling the core international human rights instruments of the United Nations, including, as they may apply to those particularly vulnerable to trafficking for labour exploitation,

Recognizing the challenges of identification of and assistance to victims, including their uncertainty regarding their eventual residential status, and that might arise out of the use of intimidation and the exploitation of victim's fears by traffickers, and recognizing the need for complaints procedures that encourage victims to come forward,

Calls on participating States to:

1. Ensure that victims of trafficking for labour exploitation have access to justice;
2. In conformity with domestic law and international obligations, provide a reflection delay and grant temporary or permanent residence permits to victims of trafficking, allow for the provision of work permits to victims during their stay, and raise awareness of such opportunities;
3. Ensure the provision of assistance to victims of trafficking for labour exploitation, and in particular access to shelter, healthcare, legal assistance and social assistance taking into consideration the recommendations in Part V of the OSCE Action Plan to Combat Trafficking in Human Beings and its Addendum Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance, and raise awareness about the availability of such services;
4. Provide increased efforts and more effective procedures to identify victims of trafficking and, in this respect, provide training and resources necessary for this task to their labour inspectors and, where appropriate, step up inspections in sectors vulnerable to labour exploitation;
5. Support and promote partnerships between civil society, including NGOs, and State agencies with a labour protection mandate to monitor working conditions, to provide, among others, assistance to victims and prevent trafficking for labour exploitation and violation of labour laws, including through targeted awareness-raising programmes or voluntary codes of conduct;
6. Consider allowing, in accordance with national law, for alternate representation for victims of trafficking for labour exploitation in proceedings where the victim is unable to do so;
7. Consider elaborating or strengthening their legislation that offers victims of trafficking for labour exploitation the possibility of obtaining compensation for damage suffered, including, where appropriate, restitution of wages owed to them;
8. Increase multi-agency co-operation and interaction on labour trafficking issues among their labour and immigration officials, law enforcement, judicial officials and social services providers, including through the establishment or strengthening, as appropriate, of national referral mechanisms as recommended in the OSCE Action Plan to Combat Trafficking in Human Beings;

9. Ensure that civil society organizations, which legally provide assistance to victims of trafficking for labour exploitation, are not penalized or criminalized for providing such assistance;
10. Provide, in accordance with the basic principles of their legal system, for the possibility, where appropriate, of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so;
11. Ensure effective complaint procedures where individuals can report in a confidential manner circumstances that might be indicative of a situation of trafficking for labour exploitation, such as exploitative working and living conditions;
12. Develop indicators taking into account, as appropriate, those developed by the ILO Committee of Experts to ensure consistency and transparency in the identification of victims of trafficking for labour exploitation and in the detection of situations of trafficking for labour exploitation;
13. Consider further expert discussion of how to distinguish cases of trafficking for labour exploitation from other situations of irregular employment;
14. Ensure effective and proportionate sanctions against those who facilitate trafficking for labour exploitation, including exploitative employers;
15. Ensure effective sanctions when employers or recruitment agencies create situations of debt bondage;
16. Develop programmes to curb the fraudulent recruitment used by some employment agencies that can make persons more vulnerable to being trafficked;
17. Consider ensuring that contractors who knowingly use subcontractors involved in trafficking for labour exploitation can be held accountable for that crime;
18. Consider providing training for judges, prosecutors, police officers and labour inspectors concerning trafficking for labour exploitation, from the perspectives of both prosecution and victim protection, and in this respect, ensure, where necessary, adequate resources are provided;
19. Target awareness-raising campaigns in countries of origin, transit and destination, directed in particular at groups vulnerable to trafficking for labour exploitation;
20. Intensify efforts to prevent child labour, by considering signing and ratifying the ILO Convention on the Worst Forms of Child Labour, 1999, if they have not already done so, and if they are already parties to it, by implementing its provisions;
21. Increase co-operation at an international level by sharing information and best practices on combating trafficking for labour exploitation, and examining ways to strengthen collaboration concerning law enforcement as well as victim protection and reintegration assistance in situations of repatriation;
22. Improve data collection and analysis of the nexus between trafficking for labour exploitation and migration and share such information with other OSCE participating States.

**DECISION No. 9/07**  
**COMBATING SEXUAL EXPLOITATION OF**  
**CHILDREN ON THE INTERNET**

(MC.DEC/9/07 of 30 November 2007)

The Ministerial Council,

Alarmed that the growth of the Internet has generated an enormous global expansion of the viewing and distribution of child pornography and of its profits, including for criminal organizations,

Reaffirming participating States commitment to implement Brussels Ministerial Council Decision No. 15/06 and taking note of the efforts of the OSCE executive structures to assist participating States in this regard,

Taking into account the proceedings of the 20 and 21 September 2007 experts meeting on the sexual exploitation of children on the Internet and of the 18 and 19 October 2007 Supplementary Human Dimension Meeting on combating the sexual exploitation of children,

Determined to combat this growing phenomenon, including through increasing OSCE activity to address it, decides to:

1. Encourage participating States that have not already done so to establish a national operational centre, or other structure as appropriate, to increase co-ordination and to involve to the extent possible public private partnership in order to more effectively address issues related to sexual exploitation of children;
2. Call on participating States that have not already done so to collect and store information, in accordance with national provisions on the protection of personal data, on persons convicted of child sexual exploitation or abuse in order to facilitate the apprehension of perpetrators and monitoring of their probation, and to develop, where appropriate, instruments to enable the exchange of information internationally among law enforcement agencies pertaining to sex offenders' convictions and disqualifications;
3. Encourage participating States that have not already done so to establish a system that allows law enforcement to work with public broadcasting and quickly send out a public alert when a child is found missing, when appropriate;
4. Urge participating States that have not already done so to consider criminalizing the intentional acquisition and possession of child pornography, given that the viewing and possession of child pornography stimulates the growth of this illicit industry;
5. Advocate that participating States that have not already done so set up specific national hotlines for the reporting of child abuse, including sexual exploitation of children on the Internet;
6. Call on participating States to support, as appropriate, increased data collection and research on sexual exploitation of children and child pornography on the Internet in order to

better understand the scope and trends of the problem and thereby increase the effectiveness of programmes to combat it;

7. Advocate that participating States, in accordance with national legislation concerning the protection of personal data, work not only on a national basis but also on an international basis with Internet service providers, credit-card companies, banks and other relevant corporations to prevent the use of the Internet for sexual exploitation of children and to impede payment methods in order to make the crime less profitable in order to address demand for child pornography on the Internet;

8. Reiterate our call on the participating States to facilitate legal protection, assistance, appropriate medical care, rehabilitation and reintegration programmes for child victims of sexual exploitation and, where appropriate, to ensure the safe return of children trafficked internationally;

9. Urge OSCE participating States to further enhance specialized training for law enforcement, teachers and health professionals, as appropriate, on combating child pornography on the Internet, including by taking advantage of existing programmes such as that offered by the International Centre for Missing and Exploited Children, and tasks the relevant OSCE executive structures to facilitate contacts in this regard;

10. Task the relevant OSCE executive structures to assist OSCE participating States, on their request, with the implementation of this decision and Ministerial Council Decision No. 15/06, within available resources and without prejudice to existing activities;

11. Task, within existing resources, the OSCE Secretariat to set up within the POLIS website of its Strategic Police Matters Unit a multilingual section devoted to combating sexual exploitation of children on the Internet, and in this regard the POLIS section should create an expert forum that would facilitate access of participating States' law enforcement agencies to best practices and available investigative techniques or software, access to legislative drafting assistance or legislative models, and provide awareness-raising information and web links for the public;

12. Task the OSCE Secretariat to organize in 2008 an OSCE on-line workshop through the POLIS website on sexual exploitation of children on the Internet, funded with extra-budgetary contributions;

13. Task the Secretary General, in consultation with the participating States, to consider ways to increase OSCE expertise on the issue, within existing resources and with due regard to the activities of other international organizations;

14. Invite OSCE Partners for Co-operation to voluntarily share the commitments of the participating States on combating sexual exploitation of children.

**DECISION No. 10/07**  
**TOLERANCE AND NON-DISCRIMINATION:**  
**PROMOTING MUTUAL RESPECT AND UNDERSTANDING**  
(MC.DEC/10/07 of 30 November 2007)

The Ministerial Council,

Reaffirming that respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE comprehensive concept of security, and that tolerance and non-discrimination are important elements in the promotion of human rights and democratic values,

Reaffirming that manifestations of discrimination and intolerance threaten the security of individuals and societal cohesion and reiterating that they may give rise to wider-scale conflict and violence,

Concerned by hate crimes throughout the OSCE region and acknowledging the need for co-operation to combat effectively such crimes, and taking note of the ODIHR's report on "Hate Crimes in the OSCE Region: Incidents and Responses", as tasked by participating States,

Recognizing the role that national parliaments play by enacting hate crime and anti-discrimination legislation, as well as serving as a forum for a national debate, and recognizing also the role that the Parliamentary Assembly plays in raising awareness of existing OSCE commitments in the field of tolerance and non-discrimination,

Highlighting the work of the three Personal Representatives of the Chairman-in-Office in support of the overall effort of the OSCE to combat intolerance and discrimination, and looking forward to the conclusions of the review by the Chairman-in-Office, in consultation with the participating States,

Underscoring that the primary responsibility for addressing acts of intolerance and discrimination rests with participating States, including their political representatives,

Reaffirming its commitment to raise awareness of the value of cultural and religious diversity as a source of mutual enrichment of societies and to recognize the importance of integration with respect for cultural and religious diversity as a key element to promote mutual respect and understanding,

Acknowledging the important role youth can play in fostering mutual respect and understanding between cultures and religions contributing to the promotion of democracy, human rights and fundamental freedoms, and in this regard taking note of the Youth Forum held in Madrid on 5 and 6 November 2007,

Recognizing that manifestations of intolerance and discrimination can undermine the efforts to protect the rights of individuals, including migrants, refugees and persons belonging to national minorities and stateless persons,

Recognizing the importance of freedom of religion or belief and education on tolerance and non-discrimination as a means to promote mutual respect and understanding and in this regard taking note of the presentation of the “Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools”,

Reiterating the interest of the OSCE in the Alliance of Civilizations initiative with a view to considering an appropriate OSCE contribution to the implementation phase of the High-Level Group’s report,

Noting the appointment of the United Nations High Representative for the Alliance of Civilizations and his presentation of the Implementation Plan (2007–2009) to the Group of Friends Ministerial Meeting in September 2007 in New York, as well as the upcoming First Annual Forum of the Alliance in Madrid in January 2008,

Recalling the OSCE commitments on promoting tolerance and non-discrimination, as undertaken by previous Ministerial Councils, and taking note of the outcomes of the various conferences focusing on tolerance and non-discrimination,

Appreciating the OSCE High Level Conference on Combating Discrimination and Promoting Mutual Respect and Understanding, follow-up to the 2005 Cordoba Conference on Anti-Semitism and Other Forms of Intolerance, held in Bucharest in June 2007, and noting the Declaration made by the Chairman-in-Office — Bucharest Declaration,

Recalling furthermore the OSCE Chairmanship Conference on Intolerance and Discrimination against Muslims held in Cordoba in October, and noting the “Chairmanship Cordoba Declaration on Combating Intolerance and Discrimination against Muslims”,

Acknowledging the specificity of different forms of intolerance, while at the same time recognizing the importance of taking a comprehensive approach and addressing cross-cutting issues in such fields as, *inter alia*, legislation, law enforcement, data collection and monitoring of hate crimes, education, media and constructive public discourse and the promotion of inter-cultural dialogue, in order to effectively combat all forms of discrimination,

1. Calls for continued efforts by political representatives, including parliamentarians, strongly to reject and condemn manifestations of racism, xenophobia, anti-Semitism, discrimination and intolerance, including against Christians, Jews, Muslims and members of other religions, as well as violent manifestations of extremism associated with aggressive nationalism and neo-Nazism, while continuing to respect freedom of expression;
2. Underlines the continued need for participating States to collect and maintain reliable data and statistics on hate crimes and incidents, to train relevant law enforcement officers and to strengthen co-operation with civil society;
3. Encourages the promotion of educational programmes in the participating States in order to raise awareness among youth of the value of mutual respect and understanding;
4. Reiterates the recognition of the essential role that the free and independent media can play in democratic societies and the strong influence it can have in countering or exacerbating misperceptions and prejudices and in that sense continues to encourage the adoption of

voluntary professional standards by journalists, media self-regulation and other appropriate mechanisms for ensuring increased professionalism, accuracy and adherence to ethical standards among journalists;

5. Calls on participating States to increase their efforts, in co-operation with civil society to counter the incitement to imminent violence and hate crimes, including through the Internet, within the framework of their national legislation, while respecting freedom of expression, and underlines at the same time that the opportunities offered by the Internet for the promotion of democracy, human rights and tolerance education should be fully exploited;

6. Calls for a strengthened commitment to implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area;

7. Calls on participating States to protect migrants legally residing in host countries and persons belonging to national minorities, stateless persons and refugees from racism, xenophobia, discrimination and violent acts of intolerance and to elaborate or strengthen national strategies and programmes for the integration of regular migrants, which also requires active engagement of the latter;

8. Encourages participating States to share best practices in their legislation, policies and programmes that help to foster inclusive societies based on respect for cultural and religious diversity, human rights and democratic principles;

9. Commits to ensure efficient follow-up on the work done so far by the participating States and relevant OSCE institutions, particularly ODIHR through its Tolerance and Non-Discrimination programme, to promote within their mandates tolerance and non-discrimination, underlining the importance of implementing the existing OSCE commitments taking into account the experience and expertise of other relevant international and regional organizations in this field in order to avoid duplication, and shall consider future conferences at the political level, possibly at regular intervals, with implementation meetings in 2008;

10. Encourages the establishment of national institutions or specialized bodies by the participating States which have not yet done so, to combat intolerance and discrimination as well as the development and implementation of national strategies and action plans in this field, drawing on the expertise and assistance of the relevant OSCE institutions, based on existing commitments, and the relevant international agencies, as appropriate;

11. Decides to consider an appropriate OSCE contribution to the implementation phase of the Alliance of Civilizations' High-Level Group recommendations, taking into account the Implementation Plan prepared by the United Nations High Representative for the Alliance of Civilizations, and recommends that the OSCE Secretary General, in consultation with the Chairman-in-Office, attends the upcoming first Annual Forum of the Alliance in Madrid and reports on its outcome to the participating States.



**DECISION No. 11/07**  
**OSCE CHAIRMANSHIPS IN 2009, 2010 AND 2011**  
(MC.DEC/11/07 of 30 November 2007)

The Ministerial Council,

Decides that Greece will exercise the function of the OSCE Chairmanship in the year 2009;

Decides that Kazakhstan will exercise the function of the OSCE Chairmanship in the year 2010;

Decides that Lithuania will exercise the function of the OSCE Chairmanship in the year 2011.

**Attachment to MC.DEC/11/07**

**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the Delegation of Kazakhstan:

“Mr. Chairperson,  
Dear colleagues,

Kazakhstan has been actively campaigning for the OSCE chairmanship for almost five years.

We believe that the election of Kazakhstan as OSCE Chairman and the related consequent processes will have a multiplicative effect for the comprehensive modernization of our country and the region in its entirety as well as for the renewal of our Organization for the good of all of its participants.

We would like to take this opportunity to express our deep gratitude to the partner countries that have consistently supported Kazakhstan’s candidacy.

The year of our chairmanship — 2009 — was important for us as a proof of the high tempo of democratic transformations in our country.

We do not see any serious and objective reasons that might have led to our candidacy being refused, since Kazakhstan was the only candidate for the 2009 chairmanship and as such enjoyed the support of the overwhelming majority of the OSCE participating States.

In this connection, the delegation of Kazakhstan would like to express its opinion regarding the decision to change the year of our chairmanship to 2010. We respect this consensus-based decision. We would like this step to be considered an act of good will on the part of Kazakhstan and all OSCE participating States, undertaken out of a concern to strengthen the Organization as a whole.

The delegation of Kazakhstan proposes that the situation related to our bid should not be regarded as a precedent but, nevertheless, as an example of a constructive decision taken with a view to raising the importance and role of the OSCE in the global community.

We would request you, distinguished Mr. Chairperson, to attach this statement to the decision adopted and to include it in the journal of today's meeting."

**DECISION No. 12/07**  
**TIME AND PLACE OF THE NEXT MEETING OF THE**  
**OSCE MINISTERIAL COUNCIL**

(MC.DEC/12/07 of 30 November 2007)

The Ministerial Council,

Decides that the Sixteenth Meeting of the OSCE Ministerial Council will be convened in Helsinki on 4 and 5 December 2008.



### **III. PERCEPTION PAPERS BY THE CHAIRMANSHIP**



# **CHAIRMANSHIP'S PERCEPTION PAPER ON AN OSCE ACTION PLAN ON THE THREATS AND OPPORTUNITIES IN THE AREA OF ENVIRONMENT AND SECURITY**

(MC.GAL/8/07 of 29 November 2007)

The OSCE, within its mandate and existing financial and human resources, and taking into account existing initiatives and its comparative advantages, could play a constructive role in strengthening environmental security and co-operation in its region, and in the process contribute to preventing potential conflict and disputes.

## **1. Refocusing OSCE institutions and mechanisms on environmental matters**

- 1.1 The Chairmanship recommends that the OSCE enhance its political dialogue on environment and security issues, where relevant, and where not duplicative of existing efforts.
- 1.2 The Chairmanship recommends that the OSCE approach environmental security by fully utilizing existing institutional capacity and support transboundary co-operative arrangements, where relevant and upon request of the participating States concerned.
- 1.3 The Chairmanship encourages the participating States to pay due attention to the threats and opportunities in the area of environment and security, including by identifying OSCE focal points in their respective governments aimed at contributing to networking in this field. The OSCE focal points could exchange information and co-ordinate joint initiatives, where appropriate, on a voluntary basis.

## **2. Raising awareness on environmental challenges, including climate change and its security implications**

- 2.1 The Chairmanship recommends that the OSCE integrate considerations of environmental challenges, including climate change, into the curricula of OSCE environmental education programmes and in its activities.
- 2.2 The Chairmanship encourages participating States to make full use of the opportunities the OSCE provides as a forum to discuss the potential link between climate change and security and supports their efforts to promote debate, to inform the public on questions relating to climate change and its potential relationship with security, and to incorporate climate change considerations into their long-term security strategies.
- 2.3 The Chairmanship urges participating States to consider the possible application of internal environmental policies in the daily operations of the OSCE executive structures.

- 2.4 The Chairmanship encourages participating States to support reducing the OSCE's environmental footprint and invites them to consider supporting, through voluntary contributions, carbon-offsetting programmes for OSCE activities. The Chairmanship likewise encourages all institutions, missions and departments of the OSCE to undertake efforts to minimize environmental impacts.

### **3. Promoting environmental co-operation as a tool for conflict prevention and confidence-building**

- 3.1 The Chairmanship encourages the OCEEA, in co-operation with relevant international organizations, to continue to promote environmental security early warning through regular reporting to the Economic and Environmental Committee, upon request of participating States.
- 3.2 The Chairmanship encourages the OSCE structures to develop proposals, at the joint request of all participating States concerned, in co-operation with appropriate partners and on a case-by-case basis, for specific confidence- and security-building measures addressing environmental factors in a transboundary context.

### **4. Improving environmental governance**

#### **Supporting legal and institutional arrangements**

- 4.1 The Chairmanship invites participating States to consider ratification and implementation of the UN Convention against Corruption and other international anti-corruption instruments and suggests that the OSCE structures be tasked with supporting them, upon request, and in co-operation with relevant international partners, in their efforts in this respect through capacity-building and training activities.
- 4.2 The Chairmanship also calls upon participating States to enhance the awareness and prevention of environmental crimes and environmental disasters.

#### **Promoting access to information, public participation and justice**

- 4.3 The Chairmanship proposes that, upon request from participating States concerned and with the support of appropriate partners, the OCEEA be invited to organize regional and national awareness-raising events on the importance of access to information, public participation, and access to justice on environmental matters.

#### **Strengthening the sustainable management of natural resources**

- 4.4 The Chairmanship recommends that the OCEEA, at the request of participating States, help such States to identify the assistance they require in their efforts to sustainably manage water, soil and forest, where degradation of these resources is taking place, thereby contributing to improving



transboundary security and co-operation, and support them in the implementation of existing Multilateral Environmental Agreements to which they are parties, especially with regard to combating land degradation and soil contamination. The Chairmanship furthermore recognizes that the sustainable management of water, soil, forests and biodiversity is a key element in avoiding environmental damage.

- 4.5 The Chairmanship calls upon participating States to increase their co-operation with organizations involved in promoting sustainable forest management and, in this context, to focus on combating illegal logging and combating wildfires.
- 4.6 The Chairmanship recommends that the OSCE provide assistance, upon request of participating States and in co-operation with appropriate partners, to the governments concerned in addressing the environmental implications of the extractive industries by facilitating the exchange of best practices and expertise and by supporting the implementation of the principles of the Extractive Industry Transparency Initiative.

## **5. Addressing social and economic aspects of environmental security**

### **Addressing the social impact of environmental degradation**

- 5.1 The Chairmanship urges the OSCE, in co-operation with relevant international organizations, to raise awareness on the link between environmental factors and migration and/or internally displaced persons.
- 5.2 In line with the OSCE Action Plan for the Promotion of Gender Equality, the Chairmanship recommends that the OSCE raise awareness on gender-specific aspects of environmental threats and encourage the involvement of women in efforts to prevent, manage and resolve environmental problems.

### **Addressing the environmental impacts of industrial legacies and man-made disasters**

- 5.3 The Chairmanship encourages the participating States to further implement the OSCE Document on Stockpiles of Conventional Ammunition and the provisions of the OSCE Handbook of the Best Practice Guides on Stockpiles of Conventional Ammunition in all aspects relating to the risks for the environment posed by the presence of stockpiles of conventional ammunition, explosive material and detonating devices in surplus and/or waiting destruction. The OSCE should continue to support participating States in their efforts in addressing environmental impacts in this regard.
- 5.4 The Chairmanship urges the OSCE, in co-operation with relevant international organizations, to support, within existing resources, regional and transboundary co-operation on the rehabilitation of the land contaminated as a result of the Chernobyl disaster both to prevent the radionuclide migration and to promote the natural recovery processes.

## **Technology Transfer**

- 5.5 The Chairmanship encourages the OCEEA to continue to facilitate the promotion of technology transfer, including through the organization of events that will enable business-to-business and public-private co-operation in the field of environmentally sound technologies, especially in the area of water management and soil protection, where not duplicative of existing efforts by other international organizations.

## **Promoting sustainable energy policies and practices**

- 5.6 In line with Ministerial Council Decision No. 12/06 on Energy Security Dialogue in the OSCE, the Chairmanship supports sustainable energy practices and policies and encourages further dialogue on environmental aspects of energy security.

## **Reducing the negative impact on the environment of transport activities, including maritime and inland waterways transport**

- 5.7 Bearing in mind Ministerial Council Decision No. 11/06 on the Future Transport Dialogue in the OSCE, the Chairmanship reaffirms its commitment to encourage participating States to consider signing and ratifying international agreements aimed at reducing the negative impact on the environment of economic activities, including transport.
- 5.8 The Chairmanship encourages the OSCE to facilitate environmental co-operation and efforts to lower risks to the environment and thereby promote security related to maritime and inland waterways and relevant multimodal routes. The OSCE could also continue to support the work within relevant international frameworks.

**CHAIRMANSHIP'S PERCEPTION PAPER ON  
OSCE BASIC NORMS AND PRINCIPLES IN THE FIELD OF  
SECURITY SECTOR GOVERNANCE/REFORM**

(MG.GAL/9/07 of 30 November 2007)

On the basis of the OSCE's concept of comprehensive and indivisible security seen from a cross-dimensional perspective,

Reflecting the acknowledgment by the United Nations Security Council of the contribution of regional intergovernmental organizations to security sector governance/reform (Statement by the President of the Security Council, S/PRST/2007/3\*),

Emphasizing the OSCE's role as a regional organization under Chapter VIII of the UN Charter, complementing the evolving discussion on the UN's role in security sector reform,

Reaffirming all the previously agreed OSCE commitments to address the common security concerns of participating States,

Recalling the valuable normative contribution made so far by the OSCE in the area of security sector reform/governance through the provisions of the Helsinki Final Act (1975), the Charter of Paris for a New Europe (1990) and the Charter for European Security (1999), the Copenhagen and Moscow Documents on the Human Dimension (1990–1991), the Code of Conduct on Politico-Military Aspects of Security (1994), the Vienna Document on Confidence- and Security-Building Measures (1999), the Document on Small Arms and Light Weapons (2000), the Bucharest Plan of Action for Combating Terrorism (2001), the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century (2003) and the OSCE Border Security and Management Concept (2005),

Emphasizing that security sector reform/governance may play an essential role in a long-term process of peace-building, early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation, and thus represents an important confidence- and security-building measure,

Emphasizing further the OSCE's holistic and cross-dimensional approach to security and the CSCE/OSCE's vast experience accumulated over 30 years of existence and through extensive practical involvement in security sector reform/governance, in particular in relation to activities such as democratic control of armed forces, confidence- and security-building measures, border security and management, counter-terrorism, anti-trafficking, police training and reform, anti-corruption, electoral legislation and judiciary reform and the rule of law,

Stressing the importance of issues relating to security sector reform/governance, which permeate the OSCE's activities in the three dimensions, as well as its cross-dimensional ones, and which represent a major field of action crucial to the OSCE's relevance and credibility in the Eurasian area,

Confirming the participating States' commitment to promote measures consolidating the legal frameworks which govern the security sector under sustainable democratic and rule of law practices relating to the whole range of government activities,

Considering that inter-State co-operation in the overall field of security sector reform/governance contributes to addressing the threats of terrorism, organized crime, illegal migration, and the illicit trafficking in weapons, drugs and human beings, as identified in paragraph 35 of the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century,

Confirming that the OSCE constitutes an appropriate political framework for that co-operation, and that its institutions can deliver useful services to requesting participating States, in a spirit of solidarity and partnership, also reflecting mutual interest and respect,

Considering this initiative to be a contribution of the OSCE, as a regional organization acknowledged by Chapter VIII of the UN Charter, to the UN-led efforts in developing the integrated UN approach towards security sector reform launched in February 2007 at the UN Security Council.

The Chairman-in-Office welcomes the elaboration of the attached OSCE basic norms and principles in the field of security sector governance/reform.

**Annex to MC.GAL/9/07**

## **THE OSCE AND SECURITY SECTOR REFORM/GOVERNANCE: BASIC NORMS AND PRINCIPLES**

- 1. Introduction**
- 2. Definition of and normative approaches to security sector reform/governance**
- 3. The OSCE's activities and norms concerning the security sector**
- 4. Conclusions**

### **1. Introduction**

In February 2007, the United Nations Security Council held an open debate on maintenance of international peace and security: role of the Security Council in supporting security sector reform. The open debate provided a timely opportunity to analyse the role of security sector reform in stabilization and reconstruction processes, linked with issues such as protection of human rights, respect for the rule of law, good governance and development.

As a result of the open debate on development of a comprehensive, coherent and co-ordinated approach by the international community, the Security Council adopted<sup>1</sup> the

---

<sup>1</sup> The UNSC President's statement was adopted unanimously.

statement by its President on maintenance of international peace and security: role of the Security Council in supporting security sector reform (S/PRST/2007/3\*).

The statement notes, *inter alia*, that the Security Council acknowledges the contribution of regional intergovernmental organizations in supporting security sector reform. The statement is thus a call for relevant intergovernmental organizations to continue to be involved in security sector reform/governance activities.

The OSCE, as a regional organization acknowledged by Chapter VIII of the UN Charter, has been active in the field of security sector reform ever since it came into existence. Discussion within the OSCE, including the elaboration of an overview of activities related to security sector reform, is understood as a contribution by the OSCE to the UN-led efforts to develop an integrated UN approach to security sector reform.

## **2. Definition of and normative approaches to security sector reform**

### **2.1 Definition of the security sector**

Since the 1990s, the lexicon of international relations has been enriched by a new concept, that of the “security sector”. The concept serves to identify all actors (both military and non-military, public and private) that have the capacity to use force, as well as all the institutions involved in the management, oversight and delivery of security within the State. In its broadest definition, it includes:

- Core security actors entitled to use force (armed forces, police, paramilitary forces, intelligence and security services, coast and border guards, customs authorities, etc.);
- Civil management and oversight bodies (the executive; ministries of defence, homeland security, finance and foreign affairs; national security advisory bodies; the parliament and its relevant committees, etc.);
- Justice and law enforcement institutions (the judiciary, justice ministry, prison services, etc.);
- Non-statutory security forces (private military and security companies, political party militias, private bodyguard units, etc.);
- Non-statutory civil society groups and organizations (political parties, the media, academia, NGOs including human rights organizations, etc).

#### **2.1.1 Goals of security sector reform**

Projects relating to security sector reform are undertaken to strengthen governance of the security sector, in terms of regulation, management, funding and oversight, i.e., to cope with bad governance, weak or absent enforcement capabilities, corruption and human rights violations. The aim is a security sector capable of delivering effective and legitimate security and justice functions fully consistent with the principles of democracy, good governance and the rule of law. Although there is no such thing as a universal blueprint or template, projects

relating to security sector reform are expected to take into account a number of fundamental requirements:

- Respect for national ownership (context-driven projects involving the active participation of all representative segments of civil society);
- A holistic approach integrating all dimensions of security sector reform (including external and internal threats to human security) and acknowledging interlinkages with overall good governance;
- Long-term objectives, to be implemented in a sequenced and flexible way;
- Conformity with basic democratic values, internationally accepted principles, human rights and the rule of law;
- Co-ordination among intergovernmental organizations involved in endeavours relating to security sector reform.

### **2.1.2 General guidelines**

With a view to ensuring policy coherence in matters related to security sector reform/governance and a harmonized approach to reform across the security sector, any reform should, *mutatis mutandis*, be consistent with such basic prerequisites as:

- Democratic legitimacy;
- Transparency (particularly in defence planning and budgeting processes);
- A clear-cut dividing line between internal and external security mechanisms, as well as between political and military leaders, without any “shadow” security structures;
- Accountability to civil oversight mechanisms and to the public (parliamentary and civil control of the military and of all security structures);
- Rule of law (impartial judiciaries, appropriate checks and balances between the legislative, executive and judicial branches of government, empowerment of civil society);
- Respect for human rights and fundamental freedoms;
- Professionalism and efficiency based on respect among the security forces and law enforcement officials for international humanitarian law and internationally accepted human rights standards, adherence to democratic principles, and technical proficiency of security forces to carry out core operational functions, including the legitimate use of force;
- Compliance of security sector actors with internationally recognized values and standards. Norms related to security sector reform currently reaffirm norms and principles of international security, as well as international human rights and

humanitarian law, i.e., the basic values of democracy, security, the rule of law, development, etc.

- Respect for the rights and duties of security sector actors (personnel of the armed forces, police and various law-enforcement bodies);
- Appropriate funding of the security sector (as a guarantee of functionality);
- National ownership of projects relating to security sector reform/governance.

### **2.1.3 Importance of security sector reform**

A functional security sector is generally characterized by: professionalism; transparency of goals and activities; effective direction and management; and oversight by legally established constitutional civilian authorities (from the executive, legislative and judiciary), with effective participation by representatives of civil society. Since a dysfunctional security sector generates serious impediments to stability and peace, rule of law and sustainable development, security sector reform constitutes a concern of worldwide scope, especially for States in transition (from war to peace or from authoritarian rule to democracy), post-conflict countries, developing countries and even countries with mature democratic regimes.

Being directly linked to the capacity of the State to address threats affecting its security and to ensure the personal safety of its citizens, such reform represents a key component of the human security agenda.

Reflecting as it does the interlinkage of security with human rights and development, security sector reform is particularly relevant for conflict management, the protection of the rule of law and sustainable development.

Security sector reform may play an essential role at all stages of the conflict management cycle — early warning, conflict prevention and resolution, peace-making and peace-building and post-conflict rehabilitation.

First of all, it may potentially reduce the risk of armed violence in conflict-prone States.

Second, the constitution of an effective security sector (or its reconstruction) often emerges as an indispensable element in political reconciliation and conclusion of a final peace settlement within war-torn societies.

Third, security sector reform is an important element in strategies for building a sustainable peace in post-conflict settings, making it possible to prevent relapses into violent conflict; in addition, as a State with a dysfunctional security sector can constitute a destabilizing factor within its own region, security sector reform carried out at a regional level has the virtue of serving as a confidence-building measure.

An effective and truly democratic security sector provides an appropriate tool for protection of the rule of law and the prevention and combating of transnational security risks and threats such as terrorism, organized crime, trafficking of human beings, weapons, drugs,

etc. In any event, a dysfunctional security sector not only hampers democratic developments, but can actually derail democracy.

It is today widely agreed that no sustainable development can be achieved without an effective State able to deliver core human security services to its own population.

## **2.2 Normative level**

All the main intergovernmental institutions in the Euro-Atlantic area are currently active in security sector reform issues at both the normative and the operational levels.

At the normative level, the OSCE played a pioneering role through the adoption of the Code of Conduct on Politico-Military Aspects of Security (1994). The Euro-Atlantic partner organizations progressively followed suit:

### OECD

The OECD's agenda on security sector reform focuses on developing and transition countries and is developed by its Development Assistance Committee (DAC). The OECD believes that a functional security sector is a precondition for effective conflict prevention, poverty reduction and development. The OECD uses the term "security system reform" to refer to the whole system of actors working on security-related issues, avoiding any misconception that it concerns only armed forces ("security sector").

The OECD defines security system reform as "the transformation of the 'security system' — which includes all the actors, their roles, responsibilities and actions — working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework".

The OECD Development Assistance Committee (DAC) has been working on the development of the concept of security system reform since the late 1990s. In 1997, it carried out a review of the approaches taken by the members of the DAC to dealing with military issues, which linked a number of security issues to development concerns. The DAC then developed a conceptual framework for security assistance, entitled "Security Issues and Development Co-operation: A Conceptual Framework for Enhancing Policy Coherence." This subsequently led to the incorporation of key security concepts into the document "DAC Guidelines: Helping Prevent Violent Conflict, 2001". Security issues are also addressed in the "DAC Guidelines: Poverty Reduction, 2001".

In 2004, the DAC approved a key document related to security system reform, entitled "Security System Reform and Governance: Policy and Good Practice. DAC Guidelines". This document advances a holistic (whole-of-government) approach to security system reform and emphasizes the nexus between security and development. It is worth noting that the OECD refers to security "system" rather than "sector". The guidelines constitute the only internationally agreed document on security system reform to date. In 2005, the OECD commissioned a new study, entitled "Implementation Framework for Security System Reform (IF-SSR)". The study develops implementation steps for each security sector component based on several case studies and best practice. In 2007, the DAC produced the "2007 Handbook on Security System Reform: Supporting Security Justice".



## The European Union

In October 2005, the Council of the European Union adopted a “Concept for European Security and Defence Policy Support to Security Sector Reform”. The EU Commission also produced a “Concept for European Community Support for Security Sector Reform” (May 2006). The two documents were bridged by an overarching “Policy Framework for Security Sector Reform” in the form of conclusions adopted by the European Council (General Affairs) on 12 June 2006. The EU is seeking to actively implement UN Security Council resolutions 1325 (2000) (women, peace and security) and 1612 (2005) (children and armed conflict) in its security system reform policy: All European security and defence policy missions include gender and human rights experts.

To be complete, mention should also be made of the Stability Pact for South Eastern Europe. The latter’s Working Table III addresses topics related to security system reform, i.e., organized crime and corruption, migration and integrated border management, SALW and defence conversion.

## NATO

The 1994 Framework Document of the Partnership for Peace committed the subscribing States to exchange information on steps to promote transparency in defence planning and budgeting, and to ensure the democratic control of armed forces. A few years later, the Working Programme of the Partnership for Peace for 2000–2001 gave salience to the “democratic control of forces and defence structures”, which became specifically one of the current activities. The 2004 Partnership Action Plan on Defence Institution Building (PAP-DIB) led NATO to focus on issues such as capacity-building in the defence sector from the perspective of personnel management and budgeting and the possibility of offering technical assistance.

## Council of Europe

As from the 1990s, the Parliamentary Assembly of the Council of Europe adopted several texts on the human rights of the professional staff of armed forces (Resolution 1166 of 22 September 1998 on human rights of conscripts, Resolution 903 of 30 June 1988 and Recommendation 1572 of 3 September 2002), control of internal security services (Recommendation 1402 of 26 April 1999) and democratic oversight of the security sector (Recommendation 1713 of 23 June 2005).

All those norms, whether those of a politically-binding nature produced by the OSCE or those issued by other organizations in the form of programmes of action, guidelines, best practices, etc., pertain to the category of soft law. No legally binding norms currently exist as regards security sector reform and security sector governance.

### **2.3 Operational level**

The Euro-Atlantic organizations are currently involved in capacity-building projects within States in democratic transition, whether or not in a post-conflict setting (for the time being, no projects concern well established democracies). The projects designed and

implemented in the area mainly concern certain dimensions of security sector reform, namely:

- Reform and/or training of security forces;
- Reform and/or training of border and customs officials;
- Defence reform and support to the executive branch for planning, security policy development and management of institutions related to security sector reform;
- Parliamentary oversight of defence budgets;
- Justice reform.

Although aimed at supporting the security sector, these projects are rarely undertaken under the explicit label of security sector reform. More often than not, they are neither conceived from a cross-cutting perspective, nor implemented as part of a coherently oriented security sector reform agenda. The reason for that has to do with the general absence of a fully fledged security sector reform concept, except in the European Union, which developed a “policy framework” directly inspired from the OECD’s approach and policy guidelines.

### **3. The OSCE’s activities and norms concerning the security sector**

Security sector reform/governance is a relevant issue for the OSCE, which considers that the security of States and that of their citizens are mutually reinforcing. Such issues clearly permeate the activities in all three of the OSCE’s dimensions as well as its cross-dimensional ones. Democratic conditions, good governance and the rule of law concern both the economic dimension and the human dimension. As far as the politico-military dimension is concerned, the functionality of the security sector is a decisive tool for confidence-building between States and for the success of peace-building activities: In the absence of good governance and the rule of law, there could be no effective transition to democracy and peaceful inter-State and intra-State relations. As the security sector is linked to effective government authority, strong democratic institutions based on the rule of law also contribute to the prevention and combating of transnational threats, risks and challenges such as organized crime, terrorism and illicit trafficking of all kinds. Consequently, strong democratic institutions based on the rule of law constitute a key element for the prevention of conflicts.

Over the years, the OSCE has adopted various documents that are directly relevant to the security sector. Among the most significant of them are the Helsinki Final Act (1975), the Charter of Paris for a New Europe (1990) and the Charter for European Security (1999), the Copenhagen and Moscow Documents on the Human Dimension (1990–1991), the Code of Conduct on Politico-Military Aspects of Security (1994), the Vienna Document on Confidence- and Security-Building Measures (1999), the Document on Small Arms and Light Weapons (2000), the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century (2003), the Bucharest Plan of Action for Combating Terrorism (2001) and the OSCE Border Security and Management Concept (2005).

The Organization has focused on various relevant aspects, such as the democratic control of armed forces, confidence- and security-building measures, border security and management, counter-terrorism, anti-trafficking, police training and reform, and the rule of law. At the same time, it is generally acknowledged that issues related to security sector governance underpin OSCE activities in all three dimensions of security and are of crucial importance for the consolidation of peace, stability, democracy and the market economy in the OSCE area.

### **3.1 Democratic control of armed forces**

Security sector reform/governance is an evolving and unnegotiated concept and has the greatest potential for evolution. Its application is also subject to political constraints. Security sector reform takes a holistic approach in its understanding of the security sector and the actors that are involved in its oversight and monitoring. The OSCE Code of Conduct on Politico-Military Aspects of Security (1994, the Code), on the other hand, is less holistic than security sector reform; nevertheless, security sector reform/governance builds on the fundamentals of the Code and complements it.

The Code opened up a new era in thinking about the relations between society and its various security forces. Politically binding in nature, the Code codified several inter-State and intra-State norms of behaviour, including a number of innovative provisions concerning the democratic control of armed forces.

The democratic control of armed forces represents an indispensable element of stability and security, while also being an important expression of democracy. In accordance with the Code (sections VII and VIII), the democratic control of armed forces requires:

- The primacy at all times of effective democratic constitutional civilian power over military power. This fundamental requirement (paragraph 21) is complemented by two other prescriptions: the political neutrality of armed forces (paragraph 23) and the prevention of “accidental or unauthorized use of military means” (paragraph 24);
- The transparency, publicity and restraint in defence and military expenditures (paragraph 22);
- The subjection of armed forces to the norms of international humanitarian law. This commits the participating States to promote at the national level (including within armed forces) a general knowledge of the obligations and commitments under international humanitarian law of war, as well as to incorporate these into their military training programmes and regulations (paragraph 29), to make sure that their armed forces personnel are individually responsible for actions at both the domestic and the international levels (paragraphs 30 and 31), and to ensure that armed forces are (both in peace and in war) commanded, manned, trained and equipped in ways that are consistent with the provisions of international humanitarian law (paragraph 34);
- The respect of the human rights and fundamental freedoms of armed forces personnel. As service members are entitled to exercise their civil rights (paragraph 23) and to enjoy the standard human rights and fundamental freedoms embodied in OSCE documents and in international law (paragraph 32), the OSCE participating States are

committed to reflecting in legislative or other texts the rights and duties of armed forces personnel (paragraph 28), as well as to ensuring the protection of these rights by means of legal and administrative procedures (paragraph 33). Furthermore, service personnel must be recruited and called up in a way consistent with their OSCE and other international human rights obligations and commitments, that is to say on the basis of equality of treatment and non-discrimination (paragraph 27);

- The consistency of defence policy and doctrine with international law related to the use of armed forces, including in armed conflict (paragraph 35);
- The democratic use of armed forces in the performance of internal security missions. Any decision to assign armed forces to internal security missions must be in conformity with constitutional procedures and provide that such missions will be performed under the effective control of constitutionally established authorities and subject to the rule of law, it being also understood that if recourse to force cannot be avoided, such use must be “commensurate with the needs for enforcement” and that the armed forces will take “due care to avoid injury to civilians” (paragraph 36). At the same time, the Code prohibits the use of force against “persons as individuals or as representatives of groups” — an expression wide enough to cover all individuals and groups living in the State, including persons belonging to a national minority and minority groups (paragraph 37).

Participating States report annually on their efforts to implement the Code of Conduct. The Forum for Security Co-operation (FSC) regularly assesses the implementation of the Code.

### **3.2 Confidence- and security-building measures**

Security sector reform can give rise to confidence between States and has positive effects for CSBMs in various fields. In addition, confidence- and security-building measures facilitate the establishment of further security sector reform.

The OSCE has had long and successful experience of promoting transparency and trust among the OSCE participating States through the establishment of agreements and documents on confidence- and security-building measures. One of the most important is the Vienna Document, which was adopted in its latest version in 1999.

The FSC has established a regular security dialogue to identify and analyse security threats and take co-ordinated action in response to them.

The OSCE participating States recognize the destabilizing effect of the excessive accumulation and uncontrolled spread of small arms and light weapons, and have resolved to co-operate in addressing these problems in a comprehensive manner.

In concert with other international organizations, the OSCE is developing norms, principles and measures covering all aspects of the issue, including the manufacture, marking, tracing and storage of such weapons. Similarly, the OSCE offers assistance with the control or the elimination of surplus SALW and, at the request of a participating State, supports stockpile management and security programmes, training and confidential on-site assessments.

In this, the OSCE facilitates security sector reform by eliminating possible threats and challenges to international peace and security, while fostering transparency as well as confidence among the participating States. In effectively addressing the problems arising from small arms and light weapons, the OSCE actively supports the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects.

### **3.3 Border management and security**

The OSCE's interventions in the field of border management and security aim at promoting best practices of humane border management, co-operation between national border services (i.e., in the sharing of migration information) and institutional reforms (including professionalization and demilitarization of border services). Since 1998, the OSCE has been performing a number of projects in several participating States.

The OSCE constitutes an appropriate political framework for co-operation on border management, and its institutions can provide useful services to requesting participating States, in a spirit of solidarity and partnership, also reflecting mutual interest and respect. At the OSCE, border issues are tackled through a cross-dimensional and inter-institutional approach. At the request of participating States, the OSCE provides advice and assistance in the reform of the training system for border services.

Sound border management has been of the utmost importance to the participating States for, *inter alia*: coping with new security challenges posed by transnational terrorism and organized crime involving illegal cross-border movement of persons, resources and weapons, as well as trafficking issues; ensuring a dignified and humane treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks and human rights, refugee and humanitarian law; and meeting the need for conflict prevention in potentially fragile zones and for post-conflict management for stabilization purposes.

The issue of border management received a new impetus after the 9/11 terrorist attacks. At the Maastricht Ministerial Council meeting (2003), the participating States adopted a Strategy to Address Threats to Security and Stability in the Twenty-First Century, paragraph 35 of which acknowledged the need to address challenges arising from the interconnection between terrorism and organized crime through, *inter alia*, the elaboration of an OSCE Border Security and Management Concept.

The OSCE Border Security and Management Concept proceeds from the basic recognition that border security and management is a matter of national sovereignty (paragraph 1). Each participating State has the sovereign right to choose how to secure and manage its borders, taking into account relevant political, military, economic and social considerations (paragraph 8). At the same time, the Concept commits the participating States to promoting open and secure borders in a free, democratic and more integrated OSCE area without dividing lines (paragraph 1). As it is assumed that border services have the best knowledge of the issues at hand, cross-border dialogue, transparency and confidence-building constitute the first logical steps towards generating solutions with added value to the benefit of all (paragraph 7).

The Concept identifies four main areas of co-operation: exchange of information, experience and best practices; establishment of “points of contact” and national focal points; holding of workshops and conferences; contacts and interaction with other intergovernmental organizations (paragraph 13), in accordance with the Platform for Co-operative Security (paragraph 14).

As a roadmap for national policies and a political framework for border co-operation, the following principles are applied:

- To respect international human rights, refugee and humanitarian law (paragraph 2.1), as well as OSCE norms, principles, commitments and values (paragraph 2.2);
- To ensure consistency in policies and standards at the regional and subregional levels (paragraph 2.3);
- To encourage direct co-operation between border services and other competent national structures, especially in respect of issues of a regulatory nature raised by cross-border movements (paragraph 4), at the bilateral, regional and multilateral levels;
- To base co-operation on the principles of international law, mutual confidence, equal partnership, transparency and predictability, and friendly relations between States (paragraph 1), and good neighbourly relations (paragraph 2.4);
- To promote the free and secure lawful movement of persons, goods, services and investments across borders (paragraph 4.1);
- To reduce the threat of terrorism (paragraph 4.2);
- To prevent and repress transnational organized crime, illegal migration, corruption, smuggling and trafficking in weapons, drugs and human beings (paragraph 4.3);
- To promote high standards in border services and competent national structures (paragraph 4.4);
- To promote dignified treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks; international law, in particular human rights, refugee, and humanitarian law; and relevant OSCE commitments (paragraph 4.5);
- To create beneficial conditions for social and economic development in border territories, as well as for the prosperity and cultural development of persons belonging to all communities residing in border areas (paragraph 4.6);
- To foster prospects for joint economic development and help in establishing common spaces of freedom, security and justice in the OSCE area (paragraph 4.7);
- To ensure the security of the international transport circuit for supply of commodities (paragraph 4.8);

- To promote the issue of good governance, which is central to security sector reform/governance, through a provision encouraging the promotion of “high standards in border services and competent national structures” (paragraph 4.4);
- To foster compliance with border-related security and management standards recognized by the participating States, as well as their improvement, *inter alia*, based on sharing of good practices (paragraph 3).

### **3.4 Activities and norms related to the police**

Democratic and effective policing is *inter alia* essential for upholding the rule of law and defending democratic institutions, as well as for preventing conflict, preserving stability during political crises and supporting post-conflict rehabilitation.

Greater inter-State co-operation in police-related activities can contribute to addressing new risks and challenges posed by transnational terrorism and organized crime, international terrorism, violent extremism, trafficking in drugs and arms and other forms of trafficking, as well as an excessive and destabilizing accumulation and an uncontrolled spread of small arms and light weapons.

The OSCE participating States realized the importance of monitoring local police activities in the framework of conflict management, in particular at the stage of post-conflict rehabilitation. Thus, in 1999, through paragraph 44 of the Istanbul Charter for European Security, the OSCE participating States decided to involve the OSCE in civilian police monitoring, police training (including for anti-trafficking purposes), community policing, the formation of multi-ethnic police, etc. They also acknowledged that the development of democratic and professional police forces could not take place in the absence of political and legal frameworks within which the police can perform their tasks in accordance with democratic principles and the rule of law — that is to say independent judicial systems able to provide remedies for human rights violations as well as advice and assistance for prison system reforms (paragraph 45). Subsequently, the Ninth Meeting of the Ministerial Council (Bucharest, 2001) decided to strengthen the capacities of the OSCE to provide technical assistance on police matters to its participating States at their request. It also recommended the holding of regular meetings of police experts from national agencies and specialized universal and regional organizations (the first such meeting took place in Vienna in 2003). Finally, it tasked the Permanent Council with annually reviewing OSCE police-related activities on the basis of a special report to be submitted annually by the Secretary General.

By the end of 2002, a Strategic Police Matters Unit (SPMU) was established in the OSCE Secretariat. Headed by a Senior Police Adviser, the SPMU responds to requests from participating States for assessments of policing needs and planning. Its handful of experts are active in several field missions. Other institutions have also been active in that field: on the one hand, the High Commissioner on National Minorities (HCNM), in the form of a project on multi-ethnic policing in Kyrgyzstan launched in 2005; on the other hand, the Office for Democratic Institutions and Human Rights (ODIHR), which, through its Tolerance and Non-discrimination Programme, has conducted training events on combating hate crimes in Croatia, Hungary and Spain. The main OSCE Police Assistance Programmes have taken place in the Caucasus (Armenia, Azerbaijan and Georgia), all the Central Asian republics except Turkmenistan, and South Eastern Europe (the former Yugoslav Republic of

Macedonia, Croatia, Kosovo, Serbia, and Montenegro). These have focused on police education and training, community policing and administrative and structural reforms.

In the field of police-related assistance, the OSCE now possesses a remarkable amount of experience. Lessons learned and best practices are stored and accessible through the multilingual Policing OnLine Information System (POLIS), which offers a policing experts database, a digital library of policing resources, and an on-line donor co-ordination mechanism for international police assistance.

### **The SPMU's Guidebook on Democratic Policing (2006)**

Issued under the authorship of the Senior Police Adviser to the OSCE Secretary General, the Guidebook offers a systematic and standardized compendium of the various and numerous existing standards, good principles and lessons learned in the field of police-related activities. The Guidebook addresses five sets of issues:

- Key principles of democratic policing, with special emphasis on the notion of public service and democratic objectives;
- Respect of the rule of law (definition of the role of the police and the functional interrelationships with the criminal justice sector);
- Ethics and human rights (corruption issues; discrimination issues; police investigations; support of victims and witnesses of crime; arrest and detention; maintenance of public order and safeguarding of democratic freedoms; use of force; cruel or degrading treatments);
- Accountability and transparency (oversight institutions; police-public partnership, including the media; community-based policing through outreach with minority communities and co-operation with civil society groups);
- Organizational and managerial issues (chain of command and operational autonomy; supervision; composition of the police; rights of police personnel; provision of adequate equipment and training).

In sum, the Guidebook defines the objectives of a democratic police, confirms the obligations arising out of the latter's commitment to the rule of law, stresses the role of ethics and human rights in police activities, articulates the basic requirements of accountability and transparency and, finally, addresses the practical resources necessary for democratic policing.

### **The HCNM's recommendations on policing in multi-ethnic societies (2006)**

Framed in consultation with the SPMU, these recommendations address the rational correlation between policing and inter-ethnic relations across the OSCE region — an issue acknowledged in the Istanbul Charter for European Security and subsequent Ministerial Council decisions. The recommendations are also in line with a commitment by the participating States, enshrined in paragraph 35 of the Copenhagen Document, to ensure “the right of persons belonging to national minorities to effective participation in public affairs”. They represent a welcome complement to the SPMU's Guidebook, which, in Section IV.2, did include a brief item on “outreach to minority communities”.



Like all the previous thematic guidelines issued by the HCNM, the 2006 recommendations aim to serve the ultimate goal of the HCNM, namely, prevention of ethnic conflicts. Their main thrust is that good policing in multi-ethnic societies requires basic confidence, regular communication and practical co-operation between the police and minority groups. The document comprises 23 recommendations (with an accompanying explanatory note dealing with each of them), on the following key issues:

- Recruitment and representation;
- Training and professional development;
- Engagement with ethnic communities;
- Operational practices; and
- Prevention and management of conflict.

Recommendations specific to each category are to be interpreted in accordance with the three “General Principles” encouraging the participating States to develop relevant policies and laws.

### **3.5 Governance based on rule of law**

Given that good governance is closely linked to democratic control and oversight, the rule of law and respect for human rights, the core values of the human dimension, are the same as those required by any significant security sector reform/governance.

Practical activities aimed at promotion of the rule of law (which underpins the OSCE’s human dimension projects) are undertaken by the OSCE PA, the ODIHR, the Representative on Freedom of the Media, the HCNM, the SPMU and the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings. Furthermore, the strengthening and/or creation of democratic institutions based on the rule of law is a common denominator among practically all of the OSCE field missions, whether established for conflict management purposes or for capacity-building in non-conflictual settings.

Admittedly, a large number of services delivered by the OSCE under the label of the rule of law concern the improvement of specific areas of the security sector. The following issues are of particular importance for security sector reform/governance: reform of the judiciary, reform of electoral legislation, media reform, national strategy against trafficking in human beings, promotion of gender equality and anti-corruption measures.

The concept of the rule of law is broadly defined in the Copenhagen Document of the Meeting of the Conference on the Human Dimension of the CSCE (1990). In accordance with paragraph 2, “the rule of law does not mean ... a formal legality which assures regularity and consistency in the achievement and enforcement of democratic order, but justice based on the recognition and full acceptance of the supreme value of the human personality and guaranteed by institutions providing a framework for its fullest expression”. From that premise, it enumerates the basic rules that a true democratic society must respect:

- Pluralism with regard to political organizations (paragraph 3);
- Free elections held at reasonable intervals by secret ballot or by an equivalent free voting procedure (paragraphs 5.1 and 6);
- Representative form of government in which the executive is accountable to the elected legislature or the electorate (paragraph 5.2);
- Compliance by the government and public authorities with the Constitution (paragraph 5.3);
- A clear separation between the State and political parties (paragraph 5.4);
- Activity of the government and the administration, as well as the judiciary, in accordance with the system established by law (paragraph 5.5);
- Military forces and the police under the control of, and accountable to, the civil authorities (paragraph 5.6);
- Human rights and fundamental freedoms guaranteed by law and in accordance with the obligations of international law (paragraph 5.7);
- Adoption of legislation by means of a public procedure, and its accessibility to everyone (paragraph 5.8);
- Equality and protection of all persons before the law, without any discrimination (paragraph 5.9);
- Effective means of redress against administrative decisions (paragraphs 5.10 and 5.11);
- Independence of judges and of legal practitioners, and impartial operation of the public judicial service (paragraphs 5.12 and 5.13);
- Right of any person arrested or detained on a criminal charge to be brought promptly before a judge and to be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law (paragraphs 5.14 to 5.17);
- No charge, trial or criminal conviction in respect of any criminal offence unless the offence is provided for by a law which defines the elements of the offence with clarity and precision (paragraph 5.18);
- Everyone to be presumed innocent until proven guilty according to law (paragraph 5.19).

Subsequent texts, such as the 1990 Charter of Paris for a New Europe (section on “Human Rights, Democracy and Rule of Law”), the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE (paragraphs 18 to 22) and the Budapest Document 1994 of the CSCE Summit (Chapter VIII, paragraph 18) reaffirmed

some of these principles with more or less nuance. However, it is notable that the Charter for European Security adopted at the Istanbul Summit of the OSCE in 1999 introduced a new element: the fight against corruption (paragraph 33).

The OSCE norms concerning the rule of law are enshrined in those basic documents, and are also developed in a number of specific decisions adopted by the Ministerial Council. Although not constituting norms, in the strict sense of the term, the recommendations contained in the consolidated summaries of the Human Dimension Implementation Meetings, Supplementary Human Dimension Meetings and Human Dimension Seminars provide some indication of the views of the majority of the participating States.

Under the rule of law, in particular in the context of security sector reform, we should also consider the functioning of criminal justice systems. The Fourteenth Meeting of the Ministerial Council in Brussels adopted a decision (MC.DEC/5/06) and a declaration (MC.DOC/4/06) on this subject. In terms of practical implementation, mention should be made of the UNODC/OSCE Criminal Justice Assessment Toolkit.

The ultimate, but implicit, aim of the OSCE's human dimension activities is good governance. The OSCE began to make current reference to the concept in 2001, in Decision No. 1 on combating terrorism, adopted by the Ninth Meeting of the Ministerial Council in Bucharest: one of the goals of the Action Plan annexed to the Decision refers to the economic and environmental issues that undermine security, namely "poor governance", in parallel with corruption, illegal economic activity, unsustainable use of natural resources, etc. (paragraph 13).

In the Strategy to Address Threats to Security and Stability in the Twenty-First Century (2003), the participating States confirmed that "Weak governance, and a failure by States to secure adequate and functioning democratic institutions that can promote stability, may in themselves constitute a breeding ground for a range of threats" (paragraph 4). The Strategy Document for the Economic and Environmental Dimension (Maastricht, 2003) stated that "Good governance at all levels contributes to prosperity, stability and security" (paragraph 2.2.1) and, hence, is of critical importance for all the participating States. As a consequence, the participating States agreed "to work on a national basis, with the support of relevant international institutions, to strengthen good governance in all its aspects and to develop methods of co-operation to assist each other in achieving it" (paragraph 2.2.2). Despite all this, there is as yet no OSCE global approach to good governance, or even any semblance of general norms of good governance.

#### **4. Conclusions**

1. Security sector reform/governance, as an essential element of a long-term peace-building process, is an important confidence- and security-building measure.
2. The CSCE/OSCE has accumulated over 30 years of experience with a holistic and cross-dimensional approach to security and extensive practical measures in security sector reform/governance, in particular in relation to activities such as democratic control of armed forces, border security and management, counter-terrorism, anti-trafficking, police training and reform, anti-corruption, electoral legislation and judiciary reform and the rule of law.

3. The OSCE has accumulated an impressive amount of knowledge and experience in many areas of security sector reform/governance. While its approach to security is global and cross-dimensional, it addresses issues related to the security sector in a piecemeal manner.
4. The OSCE offers a forum for political negotiations and decision-making in the field of early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation, and has been active in the field of security sector reform/governance over the whole range of its activities and norms, through its network of field missions, which assist in the creation of viable democratic institutions and extend support for military, justice and police reforms.
5. The OSCE, like the other Euro-Atlantic organizations, addresses issues of security sector reform at both the operational and the normative levels.
6. In one way or another, the Organization's operational assistance projects currently target core security actors (armed forces and law-enforcement agencies), civil management and oversight bodies, and non-statutory civil society groups, in other words, all the major actors in the security sector.
7. Given their cross-cutting nature, the assistance projects involve a contribution from most of the OSCE's institutions and tools.
8. Assistance provided by the OSCE to governments includes training, institutional reform and capacity-building, as well as advice and support to civil society organizations.
9. Characterized by sheer pragmatism, OSCE assistance projects are conducted on a case-by-case basis without an overall design. They target some of the component areas of the security sector.
10. The OSCE can claim more operational achievements than normative achievements. The piecemeal approach used at the operational level also prevails at the normative level.
11. Democratic governance of the security sector underpins OSCE activities in all three dimensions of security, while also constituting an essential element of conflict management, especially at the level of peace-building.
12. The OSCE's contribution to the UN-led efforts towards developing an integrated approach to security sector reform further strengthens the OSCE's role as a regional organization under Chapter VIII of the UN Charter.
13. It might in the future be relevant for the OSCE to reflect its best practices and formal norms in a single text reaffirming its basic values, principles, commitments and standards, and recognizing the interlinkages among all the components of security sector reform/governance. Such a step would make it possible to address not only direct security sector concerns, but also germane issues related to the security sector, such as all forms of trafficking, terrorism, organized crime and corruption, as well as socio-economic and environmental threats and challenges.

**DRAFT CONVENTION ON THE INTERNATIONAL LEGAL  
PERSONALITY, LEGAL CAPACITY, AND PRIVILEGES  
AND IMMUNITIES OF THE OSCE**

(Annex to MC.DD/28/07 of 29 November 2007)

The States Parties to the present Convention,

[ ]<sup>1</sup>

Recognizing the need for the OSCE to possess international legal personality and such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes<sup>2</sup>, and

Recognizing the need for the OSCE and its staff to enjoy such privileges and immunities as are necessary for the exercise of the functions and the fulfilment of the purposes of the OSCE,

Have agreed as follows:

**Article 1  
Definitions**

For the purpose of the present Convention:

- (a) "OSCE" shall refer to the Organization for Security and Co-operation in Europe.
- (b) "Participating States" shall refer to the OSCE participating States.
- (c) "States Parties" shall refer to the participating States for which the present Convention has entered into force in accordance with Article 22 below.
- (d) "Representatives of participating States" shall refer to participating States' delegates, deputy delegates, advisers, technical experts and secretaries of delegations.
- (e) "Permanent Representations" shall refer to the Permanent Representations of the participating States to the OSCE.
- (f) "Institutions" shall refer to the Office for Democratic Institutions and Human Rights (ODIHR), the Office of the High Commissioner on National Minorities (HCNM), the Office of the Representative on Freedom of the Media (FOM) and any other institution established by OSCE decision-making bodies.

---

1 Two delegations requested to insert as the first paragraph of the preamble ["Referring to the appropriate provisions of the OSCE Charter which require to define the privileges and immunities of the OSCE in a separate multilateral agreement,"].

2 Two delegations requested to insert ["as they are set forth in the OSCE Charter"].

- (g) “Field Operations” shall refer to the OSCE Field Operations, including OSCE Missions, Centres, Presences, Offices, Project Co-ordinators and other types of field operations established by OSCE decision-making bodies.
- (h) “Secretary General” shall refer to the Secretary General of the OSCE.
- (i) “Members of the Secretariat and Institutions” shall refer to the Secretary General, the Heads of Institution, as well as to the staff members of the OSCE Secretariat and Institutions, but shall not include persons who are locally recruited and receive an hourly or daily rate of pay.
- (j) “Members of Field Operations” shall refer to staff members of Field Operations, including the Heads of Mission, but shall not include persons who are locally recruited and receive an hourly or daily rate of pay.
- (k) “Other Persons Performing Tasks of the OSCE” shall refer to:
  - (i) OSCE experts on mission;
  - (ii) representatives of the OSCE Chairmanship-in-Office;

but shall not include persons who are locally recruited and receive an hourly or daily rate of pay.

For the purposes of the present Convention, members of the OSCE Parliamentary Assembly, as well as officials of its secretariat, taking part in the work of the OSCE as identified by the OSCE Chairman-in-Office, shall be treated as Other Persons Performing Tasks of the OSCE.

- (l) “Premises of the OSCE” shall refer to the buildings, parts of buildings and the land, including installations, facilities made available, maintained, occupied or used by the OSCE in connection with its functions and purposes.

## **Article 2**

### **OSCE Decision-Making Process, OSCE Commitments**

1. Nothing in the present Convention shall affect the OSCE decision-making process.
2. Nothing in the present Convention shall be construed to create any legal obligation for any State Party other than the obligations expressly set forth herein, nor shall anything in the present Convention affect the political, non-legally binding character of the OSCE commitments of the participating States.

## **Article 3**

### **International Legal Personality**

The OSCE shall possess international legal personality.

## **Article 4**

### **Legal Capacity**

The OSCE shall possess such legal capacity as is necessary for the exercise of its functions<sup>3</sup>, including the capacity to contract, to acquire and dispose of movable and immovable property, and to institute and participate in legal proceedings.

## **Article 5**

### **OSCE Premises, Property and Assets**

1. The premises of the OSCE shall be inviolable.
2. The property of the OSCE and its assets, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action, except insofar as in any particular case it has expressly waived its immunity.

## **Article 6**

### **Archives of the OSCE**

The archives of the OSCE, and in general all documents belonging to it or held by it, shall be inviolable wherever located and by whomsoever held.

## **Article 7**

### **Immunity from Jurisdiction and Execution**

1. The OSCE, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from any form of legal process except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that such waiver of immunity does not extend to any measure of execution, for which a separate waiver shall be necessary.
2. The OSCE shall have insurance coverage against third party risks in respect of vehicles owned or operated by it, as required by the laws and regulations of the State where the vehicle is operated.

## **Article 8**

### **Tax Exemptions**

1. The OSCE, its assets, income and other property shall be exempt from all direct taxes; it being understood, however, that the OSCE shall not claim exemption from taxes which are, in fact, no more than charges for public utility services.

---

3 Two delegations requested to insert [“as they are set forth in the OSCE Charter”].

2. Where goods or services of substantial value necessary for the exercise of the functions of the OSCE are purchased, and when the price of such goods and services includes taxes or duties, the State Party that has levied taxes or duties shall grant, whenever possible, exemption or provide reimbursement of the amount of duty or tax.

## **Article 9 Customs Privileges**

The OSCE, its assets, income and other property shall be exempt from customs duties on imports and exports in respect of articles imported or exported by the OSCE for its official use; it being understood, however, that articles imported under such exemption shall not be sold, leased or given away in the territory of the State Party into which they were imported except under conditions agreed with the competent authorities of that State Party.

## **Article 10 Financial Controls**

Without being restricted by financial controls, regulations or moratoria of any kind, the OSCE shall be:

- (a) able to hold funds and keep accounts in all currencies to the extent necessary for the exercise of operations corresponding to its functions;
- (b) free to transfer its funds or currency from one country to another or within any country and to convert any currency held by it into another currency.

## **Article 11 Facilities in Respect of Communications**

1. For the purpose of its official communications and correspondence, the OSCE shall enjoy in the territory of each State Party, treatment not less favourable than that which the State Party accords to any intergovernmental organization or diplomatic mission in the matter of priorities, rates and taxes applicable to mail and the various forms of communication and correspondence.

2. The OSCE may use all appropriate means of communication and make use of codes or cipher for its official communications or correspondence. The official communications and correspondence of the OSCE shall be inviolable.

3. No censorship shall be applied to the official communications and correspondence of the OSCE.

4. The OSCE Secretariat, Institutions and Field Operations shall have the right to dispatch and receive correspondence and other materials or communications amongst themselves by courier or in sealed bags, which shall have the same privileges, immunities and facilities as diplomatic couriers and bags.



## **Article 12**

### **Flags and Symbols**

The OSCE and representatives of the OSCE Chairmanship-in-Office shall have the right to use OSCE symbols and flags for official purposes, on their premises and vehicles.

## **Article 13**

### **Permanent Representations**

States Parties in whose territory Permanent Representations are located shall accord diplomatic privileges and immunities in conformity with the Vienna Convention on Diplomatic Relations of 1961 to those representations and their staff.

## **Article 14**

### **Representatives of Participating States**

1. Representatives of participating States attending OSCE meetings or taking part in the work of the OSCE shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

- (a) Immunity from personal arrest or detention.
- (b) Immunity from legal process, even after they are no longer the Representatives of participating States, in respect of words spoken or written and all acts performed by them in their capacity as representatives.
- (c) Inviolability for all papers and documents in whatever form.
- (d) Exemption in respect of themselves and their spouses and relatives dependent on them from immigration restrictions and alien registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions.
- (e) The same privileges in respect of currency and exchange facilities as are accorded to diplomatic agents of foreign States.
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic agents of foreign States.
- (g) The right to use codes and to receive papers or correspondence by courier or in sealed bags.

2. Applications for visas, where required, from Representatives of participating States attending OSCE meetings or taking part in the work of the OSCE, shall be dealt with as speedily as possible.

3. The provisions of paragraph 1 above shall not apply as between a representative and the State of which he or she is or has been the representative.

## **Article 15**

### **Members of the Secretariat and Institutions**

1. Members of the Secretariat and Institutions shall enjoy such privileges and immunities as are necessary for the independent exercise of their functions. In particular, they shall be accorded:
  - (a) Immunity from legal process, even after the termination of their appointment with the OSCE, in respect of words spoken or written and all acts performed by them in their official capacity.
  - (b) Inviolability for all papers and documents in whatever form.
  - (c) Exemption from taxation on the salaries, allowances and other emoluments paid to them by the OSCE provided that these incomes are subject to a staff assessment for the benefit of the OSCE. However, States Parties may take these incomes into account in calculating the amount of tax to be levied on the taxable income originating from other sources.
  - (d) Exemption from the social security regulations of the host State as well as from all compulsory contributions to national social security schemes of any other State Party, provided that they are covered by the social security scheme of the OSCE. This exemption does not preclude any voluntary participation in a national social security scheme in accordance with the law of the State Party concerned neither does it require a State Party to make payments of benefits under social security schemes to Members of the Secretariat and Institutions who are exempt under the provision of this subparagraph.
  - (e) Exemption from national service obligations.
  - (f) Exemption in respect of themselves and their spouses and relatives dependent on them from immigration restrictions and alien registration. Applications for visas, where required, shall be dealt with as speedily as possible.
  - (g) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic agents.
  - (h) The same privileges in respect of currency and exchange facilities as are accorded to the officials of comparable rank forming part of diplomatic missions established in the State Party concerned.
  - (i) The same repatriation facilities in time of international crisis as diplomatic agents, in respect of themselves and their spouses and relatives dependent on them.

(j) The right to import free of duty their furniture and effects at the time of first taking up their post in the country in question and to export the same free of duty when they leave their post.

2. States Parties shall not be obliged to accord to their own nationals or permanent residents the privileges and immunities referred to under paragraph 1, except those granted under item (a) for acts performed in their official capacity. States Parties which do not grant exemption from taxation under their national law shall consider concluding an agreement with the OSCE for the reimbursement of national income tax paid to them by the Members of the Secretariat and Institutions.

3. In addition to the privileges and immunities specified in paragraph 1 above, the Secretary General shall be accorded in respect of him/herself, his/her spouse and relatives dependent on him/her the privileges and immunities, exemptions and facilities accorded to heads of diplomatic missions in accordance with international law. The same shall apply to the Heads of Institution in respect of themselves, their spouses and relatives dependent on them in the country of their duty station.

## **Article 16**

### **Members of Field Operations**

1. Members of Field Operations shall enjoy such privileges and immunities as are necessary for the independent exercise of their functions during the period of their mission. In particular, in the State Party in which the Field Operation is established, and in other State Parties when travelling in connection with their duties, they shall be accorded:

- (a) Immunity from personal arrest or detention.
- (b) Immunity from legal process, even after the termination of their appointment with the OSCE, in respect of words spoken or written and all acts performed by them in their official capacity.
- (c) Inviolability for all papers and documents in whatever form.
- (d) Exemption from taxation on the salaries, allowances and other emoluments paid to them by the OSCE provided that these incomes are subject to a staff assessment for the benefit of the OSCE. However, States Parties may take these incomes into account in calculating the amount of tax to be levied on the taxable income originating from other sources.
- (e) Exemption from the social security regulations of the host State as well as from all compulsory contributions to national social security schemes of any other State Party, provided that they are covered by the social security scheme of the OSCE. This exemption does not preclude any voluntary participation in a national social security scheme in accordance with the law of the State Party concerned neither does it require a State Party to make payments of benefits under social security schemes to Members of Field Operations who are exempt under the provision of this subparagraph.
- (f) Exemption from national service obligations.

- (g) Exemption in respect of themselves and their spouses and relatives dependent on them from immigration restrictions and alien registration. Applications for visas, where required, shall be dealt with as speedily as possible.
- (h) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic agents.
- (i) The same privileges in respect of currency and exchange facilities as are accorded to the officials of comparable rank forming part of diplomatic missions established in the State Party concerned.
- (j) The same repatriation facilities in times of international crises as diplomatic agents, in respect of themselves and their spouses and relatives dependent on them.
- (k) The right to import free of duty their furniture and effects at the time of first taking up their post in the country in question and to export the same free of duty when they leave their post.

2. States Parties shall not be obliged to accord to their own nationals or permanent residents the privileges and immunities referred to under paragraph 1, except those granted under items (a) and (b) for acts performed in their official capacity. States Parties which do not grant exemption from taxation under their national law shall consider concluding an agreement with the OSCE for the reimbursement of national income tax paid to them by Members of Field Operations.

3. In addition to the privileges and immunities specified in paragraph 1 above, the Heads of Mission shall be accorded in respect of themselves, their spouses and relatives dependent on them in the country of their duty station the privileges and immunities, exemptions and facilities accorded to heads of diplomatic missions in accordance with international law.

## **Article 17**

### **Other Persons Performing Tasks of the OSCE**

1. Other Persons Performing Tasks of the OSCE shall enjoy such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded:
- (a) Immunity from personal arrest or detention.
  - (b) Immunity from legal process, even after the termination of their appointment with the OSCE, in respect of words spoken or written and all acts performed by them in their official capacity.
  - (c) Inviolability for all papers and documents in whatever form.
  - (d) For the purpose of their communications with the OSCE, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

- (e) Exemption from the social security regulations of the host State as well as from all compulsory contributions to national security schemes of any other State Party, provided that they are covered by the social security scheme of the OSCE. This exemption does not preclude any voluntary participation in a national social security scheme in accordance with the law of the State Party concerned neither does it require a State Party to make payments of benefits under social security schemes to Other Persons Performing Tasks of the OSCE who are exempt under the provision of this subparagraph.
  - (f) Exemption from immigration restrictions and alien registration. Applications for visas, where required, shall be dealt with as speedily as possible.
  - (g) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic agents.
  - (h) The same privileges in respect of currency and exchange facilities as are accorded to representatives of foreign Governments on temporary official missions.
  - (i) The same repatriation facilities in time of international crisis as diplomatic agents.
2. States Parties shall not be obliged to accord to their own nationals or permanent residents the privileges and immunities referred to under paragraph 1 (a) except for acts performed in their official capacity, and paragraph 1 (e) to (i).

## **Article 18**

### **Waiver of Immunities**

1. Privileges and immunities are accorded not for the personal benefit of the individuals concerned, but in order to safeguard the independent exercise of their functions and in the interest of the OSCE.
2. The OSCE shall co-operate at all times with the appropriate authorities of the participating States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Convention.
3. A participating State not only has the right, but is under a duty to waive the immunity of its representative in any case where in its opinion the immunity would impede the course of justice and it can be waived without prejudice to the purpose for which the immunity is accorded.
4. Where the immunity would impede the course of justice and it can be waived without prejudice to the functioning of the OSCE, the following authorities shall have the right and the duty to waive immunities:
  - (a) The Permanent Council upon request of the Secretary General with respect to the OSCE.

- (b) The OSCE Chairman-in-Office with respect to the Secretary General, the Heads of Institution, and the Heads of Mission and their deputies.
- (c) The Secretary General in consultation with the OSCE Chairman-in-Office with respect to Members of the Secretariat and Institutions and Members of Field Operations other than those falling under (b).
- (d) The OSCE Chairman-in-Office with respect to his/her representatives.
- (e) The Secretary General with respect to Other Persons Performing Tasks of the OSCE other than those falling under (d), (f) and (g).
- (f) The OSCE Chairman-in-Office upon request of the Standing Committee of the OSCE Parliamentary Assembly with respect to the members of the OSCE Parliamentary Assembly and the Secretary General of the OSCE Parliamentary Assembly.
- (g) The OSCE Chairman-in-Office upon request of the Secretary General of the OSCE Parliamentary Assembly with respect to the other officials of its secretariat.

## **Article 19**

### **OSCE Identity Cards**

In order to assist States Parties in identifying individuals who are entitled to privileges and immunities set forth in this Convention, the OSCE may issue an OSCE Identity Card to persons entitled to such privileges and immunities. The document, which shall not substitute for ordinary travel documents, shall be issued in accordance with the form set out in Annex A and will entitle the bearer to the treatment specified herein.

## **Article 20**

### **Settlement of Disputes**

The OSCE shall make provisions for appropriate modes of settlement of:

- (a) Disputes arising out of contracts or other disputes of a private law character to which the OSCE is a party, in circumstances where the waiver of immunity of the OSCE is not exercised by the Secretary General.
- (b) Disputes involving Members of the Secretariat and Institutions, Members of Field Operations or Other Persons Performing Tasks of the OSCE, who by reason of their official position enjoy immunity, if immunity has not been waived.

## **Article 21**

### **Settlement of Disputes concerning the Convention**

Disputes concerning the interpretation or application of the present Convention shall be settled by consultations or any other mode of settlement agreed on between the OSCE and the State(s) Party(ies) or between the States Parties involved in the dispute.

## **Article 22**

### **Signature and Entry into Force**

1. The present Convention shall be open for signature at ... by all participating States until .... It shall be subject to ratification, acceptance or approval.
2. The participating States which have not signed the present Convention may subsequently accede thereto.
3. The present Convention shall enter into force sixty days after the date of deposit of the instruments of ratification, acceptance, approval or accession by two-thirds of the participating States.
4. For every participating State which ratifies, accepts, approves or accedes to the present Convention after the date of its entry into force, the present Convention shall enter into force sixty days after the date of deposit of its instrument of ratification, acceptance, approval or accession.
5. The Secretary General shall serve as depositary of the present Convention.

## **Article 23**

### **Provisional Application of the present Convention**

A participating State may declare at any time that it will apply the present Convention provisionally until it enters into force for it in accordance with paragraphs 3 and 4 of Article 22.

## **Article 24**

### **Amendments**

1. Any State Party may, by written communication addressed to the depositary, propose amendments to the present Convention. The depositary shall circulate this communication to all States Parties.
2. If, within ninety days from the date of circulation of the proposal for amendments, one third of the States Parties notify the depositary that they agree to convene a conference of the States Parties to consider that proposal, the depositary shall convene such a conference. The text of any amendment adopted by the conference shall be forwarded by the depositary

to States Parties for acceptance in accordance with their respective constitutional requirements.

3. Any such amendment shall come into force on the sixtieth day after all States Parties have notified the depositary of their acceptance thereof.

4. States Parties acceding to the Convention after any amendments thereto have entered into force shall be deemed to have acceded to the present Convention as amended.

## **Article 25 Denunciation**

1. Any State Party may, at any time, denounce the present Convention by means of a notification addressed to the depositary.

2. Such denunciation shall become effective one year after the date of receipt of the notification by the depositary.

Done at ... on ... in the English, French, German, Italian, Russian and Spanish languages, all six language versions being equally authentic.

**Attachment to the Annex of MC.DD/28/07**

## **ANNEX A OSCE IDENTITY CARD**

Name:

Surname:

Date of Birth:

National of:

Holder of passport/diplomatic passport no. ..., issued on ..., by ... .

It is hereby certified that the person named in the present document is on official business of the Organization for Security and Co-operation in Europe ("OSCE") during the period from ... to ... in the following OSCE participating State(s) ... .

The OSCE hereby requests all whom it may concern that the person named herein:

- be allowed to pass without delay or hindrance,
- in case of need be accorded all necessary lawful assistance and protection.



This document does not replace travel documents that may be required for entry or exit.

Issued in ... on ... by ... (relevant OSCE authority)

Signature:

Title:

---

Note: The document will be issued in the six official OSCE languages. It will also contain a translation into the language or languages of the country or countries which the holder of the document will visit as well as a translation into the language or languages used by those military or police forces which might be present in the area of the duty travel.



## **IV. STATEMENTS BY DELEGATIONS**



**STATEMENT BY THE  
DELEGATION OF THE RUSSIAN FEDERATION**

(Annex 1 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

In connection with the Ministerial Council decision regarding co-operation between the OSCE and Afghanistan, I should like to make the following statement.

The Russian Federation supported the idea that there should be closer co-operation between the OSCE and Afghanistan in a number of areas, notably the fight against drug trafficking, strengthening of borders, and training of drugs police and border guards.

At the same time we have always said that all these activities should take place only in the area directly subject to the OSCE's responsibility, namely on the territory of participating States.

A condition for our willingness to approve the decision on Afghanistan was also the assurance of appropriate control over the planning and funding of relevant projects, to be exercised by the Permanent Council of the OSCE.

The Russian Federation, together with other member States of the Collective Security Treaty Organization (CSTO), was from the start in favour of a decision reflecting the intention to develop co-operation between the OSCE and the CSTO in all the matters mentioned above. This point of view seems entirely justified to us as the CSTO has successful experience and the potential to make an effective contribution to the OSCE's activities concerned with the fight against illicit trafficking in narcotic drugs and the protection of borders in the region of Central Asia adjacent to Afghanistan. As we know, there already exist agreements on this matter between the Secretaries General of the OSCE and the CSTO.

We note with satisfaction that these approaches, which are of importance to us, have been clearly reflected in the decision adopted.

I request that this statement be attached to the journal of today's meeting.

Thank you for your attention.

## **STATEMENT BY THE DELEGATION OF GREECE**

(Annex 2 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,  
Ministers,  
Ladies and Gentlemen,

It is a great honour for Greece to assume the OSCE Chairmanship for the year 2009, and one for which I wish to thank you all heartily.

This is a significant challenge for my country, given that the OSCE is the world's largest regional security organization, promoting regional stability through peaceful coexistence from Vancouver to Vladivostok. Furthermore, its commitment to democracy and prosperity has been successfully tested "in the field".

I assure you that we will use all the means at our disposal to fulfil your expectations and to increase the OSCE's relevance and effectiveness.

Ladies and Gentlemen,

The world is facing a number of threats. Terrorism is threatening democracy and the rule of law. The proliferation of weapons of mass destruction is putting world order at risk. The combination of organized crime and the failure of States to counter it is spreading violence beyond those States' borders. Climate change is exacerbating conflicts.

The more we fight these ills, the clearer it becomes that they are interrelated.

Collective action is urgently required if these perils to human security are to be addressed adequately.

For this reason, co-operation, transparency and the principle of consensus will constitute the operational mode of the Greek Chair.

Dear Partners,

Greece's foreign policy is based on values whose importance has been attested since time immemorial: freedom, democracy, and respect for international law and its principles.

These universal ideals form our value system. They provide a solid foundation upon which co-operation and prosperity among States can develop safely.

It goes without saying that respect for those values is the cornerstone for any settlement of the pending disputes within the OSCE's field of operations.

We look forward to seeing them cherished and are eager to draw attention to their significance while carrying out our Organization's mandate.

It is indeed the case that our Organization is praised for its efficient work. Over the past decades, the OSCE has contributed significantly to securing peace and stability in the broader Transatlantic and Eurasian area.

Key to our performance is a real sense of co-operation. Trust and confidence are manifest among us. Hard work and sincere interest are typical of our attitude. This is our dynamic at work. The challenge of preserving the OSCE's vigour will be a great stimulus for the Greek Chair.

Ladies and Gentlemen,

Some of our goals have been met. Others have yet to be achieved. Our accumulated experience shows that tolerance among States is missing in many corners of our globe. The most promising avenues for helping societies to prosper are often ignored.

We have to devise new approaches and to formulate real tools to address the problems. Raising levels of education appears to be a powerful antidote to the culture of violence.

At this point, allow me, dear partners, to express once again my gratitude to Minister Moratinos for his zeal and tireless efforts as Chairman-in-Office.

Moreover, I would like to wish all the best to Minister Kanerva and the incoming Finnish Chairmanship.

I also wish to congratulate Kazakhstan and Lithuania on being accorded the Chairmanships for 2010 and 2011 respectively.

I thank you for your attention and I assure you that Greece will do its best to live up to your expectations.

Mr. Chairperson, please append this statement to the journal of the Ministerial Council.

Thank you.

## **STATEMENT BY THE DELEGATION OF BELARUS**

(Annex 3 to MC(15) Journal No. 2 of 30 November 2007)

Belarus welcomes the decision on the upcoming OSCE Chairmanships for 2009, 2010 and 2011 for Greece, Kazakhstan and Lithuania.

From the very beginning we, along with other CIS countries, strongly supported Kazakhstan's candidacy for the 2009 Chairmanship.

We wholeheartedly congratulate all the prospective Chairmanships and expect them to be strictly guided by the fundamental principles of the OSCE in carrying out their duties.

The Chairmanship, by definition, must be absolutely free of any preconditions imposed on potential candidates from any quarters within the Organization. Any such preconditions are null and void. The Chairmanship is to be bound only by the principles of the 1975 Helsinki Final Act and other OSCE decisions.

We wish all success to Finland, Greece, Kazakhstan and Lithuania in exercising their Chairmanship and Troika functions. Belarus hopes that in doing so they will take into account the interests and positions of all the participating States and will make genuine efforts to continue the reform of our Organization, with a view to increasing its role and relevance in the Euro-Atlantic security architecture.

I ask you, Mr. Chairperson, to attach this statement to the journal of the day.



**STATEMENT BY THE DELEGATION OF LITHUANIA**

(Annex 4 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

On behalf of the Minister of Foreign Affairs of Lithuania I would like to express sincere thanks for your personal efforts and those of the Spanish Chairmanship in paving the way for the decision on future OSCE Chairmanships in 2009, 2010 and 2011. Lithuania announced its candidacy for the 2010 OSCE Chairmanship as early as 2004. Showing flexibility and wishing to contribute to the continued efficiency of the OSCE's work, Lithuania has extended its support to this decision. For our Chairmanship we offer continuity and active engagement in promoting the implementation of OSCE commitments, encouraging regional co-operation, and countering old and new threats to security and stability.

Thank you.

**STATEMENT BY THE  
DELEGATION OF THE RUSSIAN FEDERATION**

(Annex 5 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

The Russian Federation supports the interpretative statement just made by Kazakhstan and would like to add the following statement to it.

We take due note of the agreement that Greece, Kazakhstan and Lithuania will assume the OSCE Chairmanship for the years 2009, 2010 and 2011 respectively.

At the same time we note that the decision was preceded by attempts to tie us all down with certain conditions regarding the attainment of consensus, including the demand that we must renounce all further efforts to reform the Office for Democratic Institutions and Human Rights (ODIHR). Obviously, manoeuvres of this kind undermine one of the fundamental principles of the OSCE, namely that of equal rights for all participating States, stemming as they do from a policy of double standards designed to create new dividing lines in Europe.

We are convinced that attempts to apply pressure to States holding the OSCE Chairmanship with a view to influencing their political course are totally unacceptable to the vast majority of participating States of our Organization.

In view of the crisis in which the OSCE currently finds itself, the period lying ahead of us seems likely to be decisive in many respects. Future chairmanships will bear a special burden of responsibility. We trust that Finland, Greece, Kazakhstan and Lithuania, which are to head the Organization from 2008 to 2011, will be guided strictly in their work by the principles of the OSCE as laid down in the Helsinki Final Act and will promote reform of the Organization with a view to making it able to cope with the demands of the time.

We request that this statement be attached to the journal of today's meeting.

Thank you for your attention.

**STATEMENT BY PORTUGAL ON BEHALF OF  
THE EUROPEAN UNION**

(Annex 6 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,  
Excellencies,

The European Union warmly thanks the Spanish Chairmanship and expresses great appreciation for its excellent organization, very generous hospitality and strenuous efforts to seek consensus during this Ministerial Council. We are disappointed that no consensus was reached on a political declaration.

The EU is pleased with the approval of the decision on the upcoming three OSCE Chairmanships: Greece, for 2009; Kazakhstan for 2010 and Lithuania for 2011. We appreciate the flexibility shown by these three participating States and the Chairmanship's determined efforts to pave the way for a decision acceptable to all.

We also welcome all other important decisions that have been adopted in this Ministerial Council.

Mr. Chairperson,

Support for human rights defenders is a long established principle of the European Union's human rights external relations and one of our main priorities in the human dimension. We are therefore disappointed that, yet again, no consensus was reached on a decision on strengthening OSCE engagement with human rights defenders and independent national human rights institutions. The EU remains firmly committed to the approval of this decision and will continue to support the inclusion of this important issue on the OSCE agenda.

The EU deeply regrets that the text of the Convention on the International Legal Personality, Legal Capacity and Privileges and Immunities of the OSCE was not approved here in Madrid. The EU remains firmly committed to its approval which would give the OSCE the recognition as a full-fledged international organization. The EU reiterates its view that this Convention, when adopted, will improve considerably the functioning of the OSCE, including its field operations.

Mr. Chairperson,

On elections, the EU recalls its firm support for the standards and commitments undertaken in the 1990 Copenhagen Document, in the 1994 Budapest Document and further developed since then. We also reaffirm our support for ODIHR's election observation activities and its internationally recognized election observation methodology.

Mr. Chairperson,

The EU is pleased that agreement was reached on the statement on Nagorno-Karabakh. We reiterate our call on the leadership of Armenia and Azerbaijan to

continue to engage fully in the negotiations on the basis of the set of basic principles for a peaceful settlement of the conflict developed by the Co-Chairmen of the Minsk Group.

We regret that a consensus was not found on the statements regarding the conflicts in Moldova and Georgia. The EU thanks the Spanish Chairmanship for their excellent work and is determined to continue to play a constructive role in working towards a peaceful resolution of these conflicts.

The EU also notes with regret that no agreement was achieved on a statement on the OSCE Mission in Kosovo. We recall our firm support for OMIK's work and for the extension of its mandate for another year, irrespective of the outcome of current negotiations on the future status of Kosovo.

Mr. Chairperson,

In conclusion, allow me to reiterate our appreciation to the Spanish Chairmanship for their tireless efforts in leading this Organization over the last year. The EU looks forward with full confidence to the incoming Finnish Chairmanship. We would like to express our full support and wish them success in their endeavours.

I request that this statement be attached to the journal of the day.

The Candidate Countries Turkey, Croatia and the former Yugoslav Republic of Macedonia\*, the Countries of the Stabilisation and Association Process Albania, Bosnia and Herzegovina and Montenegro, EFTA countries Iceland and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

---

\* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

## **STATEMENT BY THE DELEGATION OF LITHUANIA**

(Annex 7 to MC(15) Journal No. 2 of 30 November 2007)

I should like to make a statement on behalf of the following countries: Germany, the United States of America, Belgium, Bulgaria, Canada, Denmark, Spain, Estonia, France, the United Kingdom, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Norway, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, the Czech Republic and Turkey.

The text of the statement reads as follows:

“NATO Allies place the highest value on the CFE regime and underscore the strategic importance of the CFE Treaty as a cornerstone of Euro-Atlantic Security. The CFE Treaty benefits all of Europe through its system of limitations, information sharing, and verification, by providing stability, unprecedented transparency, predictability and confidence concerning the military forces of its 30 States Parties.

We remain firmly committed to the CFE Treaty and wish to achieve the earliest possible entry into force of the Agreement on Adaptation which is our common goal and which would also permit accession by new States Parties, in a manner consistent with the Alliance’s position of principle contained in the 2006 NATO Riga Summit Declaration. The Allies have taken careful note of the concerns expressed by the Russian Federation about the conditions under which the Treaty is operating. Accordingly, we have pursued a multifaceted dialogue with the Russian Federation, including through US-Russia bilateral discussions, leading to constructive proposals for a way forward, which respects the integrity of the Treaty and addresses the concerns of all Treaty partners. In this context, it would be a regrettable loss for all parties if the Russian Federation were to proceed with unilateral action which could undermine the viability of the CFE regime.

We continue to pursue an intensified engagement, on the basis of the Parallel Action Package, supported by all Allies, to: resolve outstanding concerns of all States Parties; fulfil remaining commitments reflected in the 1999 CFE Final Act including its Annexes, including those relating to the Republic of Moldova and the Republic of Georgia; lay the basis for ratification of the Agreement on Adaptation by all 30 States Parties; and ensure full implementation of the Treaty by all States Parties. We urge the Russian Federation to continue to implement the Treaty while working co-operatively to resolve these complex issues, and to avoid steps that would undermine the long-term viability of the CFE regime and prospects for entry into force of the Agreement on Adaptation.”

The countries subscribing to this statement request its inclusion in the official documents of this Ministerial Meeting.

**STATEMENT BY THE DELEGATION OF UKRAINE (ALSO ON BEHALF OF GERMANY, THE UNITED STATES OF AMERICA, ANDORRA, AUSTRIA, AZERBAIJAN, BELGIUM, BOSNIA AND HERZEGOVINA, BULGARIA, CANADA, DENMARK, SPAIN, ESTONIA, THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, FRANCE, GEORGIA, THE UNITED KINGDOM, GREECE, HUNGARY, IRELAND, ICELAND, LATVIA, LIECHTENSTEIN, LITHUANIA, LUXEMBOURG, MOLDOVA, NORWAY, POLAND, THE HOLY SEE, SLOVAKIA, SWEDEN, AND THE CZECH REPUBLIC)**

(Annex 8 to MC(15) Journal No. 2 of 30 November 2007)

In 2007 we remember the 75th anniversary of the Holodomor of 1932 and 1933 in Ukraine. This tragedy took innocent lives of millions of Ukrainians as a result of the mass starvation brought about by the cruel actions and policies of the totalitarian Stalinist regime. We pay tribute to the memory of the victims of this national tragedy of the Ukrainian people.

We acknowledge the efforts undertaken in the recent years to raise awareness of the Holodomor, including in the United Nations, its specialized agencies and in the OSCE participating States, in particular the adoption by consensus on 1 November 2007 of the relevant UNESCO Resolution by 193 Member States. We also welcome the initiative of Ukraine to organize the commemorations on the occasion of the 75th anniversary of the Holodomor. We will consider taking part in relevant events and invite other OSCE participating States to do the same.

Given the OSCE commitment to “clearly and unequivocally condemn totalitarianism” (1990 Copenhagen Document), we once again underline the importance of raising public awareness of the tragic events of our common past, of promoting tolerance and non-discrimination, of strengthening the rule of law and respect for human rights and fundamental freedoms for the prevention of human tragedies in the future.

## **STATEMENT BY THE DELEGATION OF UKRAINE**

(Annex 9 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

On the occasion of the 75th anniversary of the Holodomor of 1932 and 1933 in Ukraine the Delegation of Ukraine proposed that tribute be paid to the victims of the cruel policies of the totalitarian Stalinist regime in a Ministerial declaration.

Our initiative in raising this issue in this Organization was inspired by the commitment made by the OSCE participating States in Copenhagen in 1990 to “clearly and unequivocally condemn totalitarianism”.

On behalf of the Government of Ukraine, I would like to express our sincere gratitude to those participating States who aligned themselves with a joint statement, which I have just read out, supporting the act of remembrance for the victims of the national tragedy of the Ukrainian people. This statement is open for further alignments and we invite participating States to add their voices of support and solidarity.

We deeply regret that due to the open opposition of one delegation in the framework of the Preparatory Committee it has not been possible to achieve consensus on the draft Ministerial declaration, which was intended to underline the importance of raising public awareness of the tragic events of our common past, of promoting tolerance and non-discrimination, and of strengthening the rule of law and respect for human rights and fundamental freedoms, with the aim of preventing similar crimes in the future.

My delegation continues to believe that at the OSCE the value of human life and dignity should prevail over political expediency. We sincerely hope that the principles of dialogue, co-operation, equality and solidarity among the OSCE participating States will remain at the heart of our common endeavours in the future.

I would also like to request the Chairperson to attach this statement to the journal of the day.

**STATEMENT BY THE  
DELEGATION OF THE RUSSIAN FEDERATION**

(Annex 10 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

We associate ourselves with the words of gratitude addressed to the Spanish Chairmanship for its hospitality and for the work carried out this year at the head of the OSCE. Allow me also to wish every success to Finland, which is taking up the post of OSCE Chairman-in-Office in 2008.

In conclusion, we should like to express a few thoughts.

First. In connection with statements by the delegations of a number of participating States, I want to make the point that such issues as the "Istanbul commitments", the CFE Treaty and the resolution of regional conflicts were covered in detail in the statement by the Minister for Foreign Affairs of the Russian Federation, S. V. Lavrov, at this Ministerial Council meeting. We believe that there is no need for additions to be made to the aforementioned statement.

Second. The Russian Federation expresses its gratitude to the distinguished Permanent Representative of the Netherlands to the OSCE, Mrs. Ida van Veldhuizen-Rothenbücher, who headed the Working Group on the preparation of the draft Convention on the Legal Personality, Legal Capacity, Privileges and Immunities of the OSCE during the past year. We commend her determination and diplomatic talent, which made it possible to bring the activities of the Working Group to a successful conclusion.

We regret that, as a result of the refusal of a number of participating States to continue efforts to strengthen the international legal status of the OSCE by elaborating and adopting its Charter, it was not possible to approve the draft Ministerial Council decision by pointing to the fact of successful completion of the Working Group's activities. Despite this, it is fair to say that the text of the Convention has, by and large, been agreed upon. We believe that the provisions of the Convention which made it possible to reach agreement should not be reopened for discussion.

We reaffirm the position of the Russian Federation that the Convention may be adopted only in conjunction with an OSCE Charter, the elaboration of which the Russian Federation and quite a number of other OSCE participating States have been persistently calling for.

Third. As you are aware, the Russian Federation, together with a number of other OSCE participating States, submitted for consideration by the Ministerial Council a draft decision "on OSCE/ODIHR observation of national elections". We deeply regret that neither that draft, nor the attempt by the Spanish Chairmanship to put forward an alternative version of the decision, aimed at the continuation of substantive dialogue on the question of improving the ODIHR's work in monitoring and assessing election processes in participating States, achieved consensus.



In that connection, we should like to confirm our assessment of the counterproductive nature of attempts to avoid discussion in the OSCE of a truly important and acute problem, the essence of which lies in the question whether the participating States can jointly agree on election monitoring rules or whether variant readings in this area will threaten the prospects of the ODIHR as an OSCE institution. The Russian Federation would, naturally, prefer the first option, which presupposes the reaching of agreements.

Fourth. The Russian position on the problem of the “Holodomor” remains unchanged — millions of citizens of many different nationalities were victims of the indeed tragic events of 1932 and 1933 and, accordingly, it would be unjust to talk of the annihilation of only ethnic Ukrainian citizens. The famine in the USSR in the 1930s was a consequence of the “class” policy, collectivization of agriculture and “dekulakization” of the peasantry pursued during that period.

At the 58th session of the General Assembly, member States of the United Nations adopted a joint declaration expressing sympathy with the millions of Russians, Ukrainians, Kazakhs and representatives of other nationalities who were victims of the famine in 1932 and 1933. We take the position that this declaration, circulated as a United Nations General Assembly document, and also the resolution of the 34th session of the UNESCO General Conference with similar content, provided a final assessment of this tragedy.

We request that this statement be attached to the journal of today’s meeting.

Thank you for your attention.

## **STATEMENT BY THE DELEGATION OF TURKEY**

(Annex 11 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

We are at one with the Government and the people of Ukraine in their commemoration of a humanitarian disaster that also constitutes a tragic episode in their history. Regarding the humanitarian impact of this tragedy, no participating State can distance itself from the statement made by Ukraine. There can be no question of lack of sympathy or insensitivity in the face of such an event.

It appears that the Ukrainian authorities would seek to complement the humanitarian significance of this sad event with a desire for political recognition. And it is precisely this feature that distinguishes the present Ukrainian statement from the UNESCO resolution dated 1 November 2007. Such a distinction is almost unavoidable, primarily on account of the political nature of our Organization. I must recall that when it comes to addressing such an issue in a political context, the overarching and unchangeable principle of Turkish policy is that “judgment on historical events must remain the sole purview of historians.”

Let me close by reiterating the expression of our sympathy for the victims of this tragic event and our hope that our sincere sentiments will be conveyed to the people of Ukraine.

May I request that this text be attached to the journal of the day.

Thank you.

## **STATEMENT BY THE DELEGATION OF GEORGIA**

(Annex 12 to MC(15) Journal No. 2 of 30 November 2007)

Mr. Chairperson,

We would like to thank the Spanish Chairmanship once again for their leadership and guidance during the year 2007.

While we have aligned ourselves with the closing statement of the European Union, I would like to add few words on the issues that are of particular importance for us.

We continue to consider the CFE Treaty to be a cornerstone of European security. We urge the Russian Federation to reverse its decision to suspend its participation in the CFE Treaty and to engage constructively in the consultation process aimed at facilitating the early entry into force of the adapted CFE Treaty.

We support the parallel action approach in general and stand ready to work intensively with all interested parties on the solution of outstanding issues, including that of Gudauta, on the basis of the fundamental principle of host State consent, to ensure the early entry into force of the adapted CFE Treaty.

I would like to thank the Chairmanship and all those delegations who participated in the drafting of the Ministerial Statement on Georgia. Unfortunately, we could not reach consensus over the statement due to the lack of flexibility of the Russian side. We stand ready to engage ourselves with Russia in a meaningful and result-oriented dialogue based on the principles and vision agreed with the rest of the OSCE community.

Finally, we would like to extend a warm welcome to the Finnish Chairmanship. We hope that their work in the coming year will be productive and efficient.

Thank you.

## **STATEMENT BY THE DELEGATION OF MOLDOVA**

(Annex 13 to MC(15) Journal No. 2 of 30 November 2007)

Thank you, Mr. Chairperson,

While the Moldovan Delegation has aligned itself with the statement delivered by Portugal on behalf of the European Union, I would like to stress a few points that my country considers it necessary to bring to the attention of the Ministerial Council.

We join other delegations in expressing our deep regret that this Ministerial Council, like its forerunners, has had its share of disappointments. Once again the Council was not able to adopt the Ministerial Declaration and the Statement on Moldova. Despite tireless efforts on the part of my delegation and most of the actors involved, we failed for the fifth year in a row to reach consensus on these important documents. Because of the position of one State, we were not able to agree on the step forward that would inspire confidence and make for progress in the political settlement of the Transnistrian problem.

We remain determined to find a final political settlement based on full respect for the sovereignty and territorial integrity of the Republic of Moldova. Given that the key objective at present is to advance the political settlement process, we call on all actors involved, particularly the authorities of the Transnistrian region, to resume negotiations in the “five plus two” format, without any preconditions. The final goal of the negotiations should be the identification of the special legal status of the Transnistrian region on the basis of the sovereignty and territorial integrity of the Republic of Moldova.

We consider that it is time for all actors involved to engage actively in the discussions on the transformation of the current peacekeeping operation into a multinational civilian mission under an international mandate. We regret the lack of progress in 2007 on the removal of the Russian forces from the territory of the Republic of Moldova and recall the crucial importance of fulfilment of the commitments undertaken at the 1999 OSCE Istanbul Summit. We are convinced that only tangible progress in the implementation of the remaining Istanbul commitments will make for further advancement of the settlement process. We reiterate our position that the full, early and unconditional withdrawal of the military forces of the Russian Federation from the territory of the Republic of Moldova will provide the necessary ground for the ratification by our Parliament of the Adapted CFE Treaty.

We would also like to align ourselves with the statement concerning the CFE Treaty delivered by Lithuania on behalf of 26 countries.

Mr. Chairperson, I ask that the statement be attached to the journal of the day.

## **V. REPORTS TO THE MINISTERIAL COUNCIL**



**LETTER FROM THE CHAIRPERSON OF  
THE FORUM FOR SECURITY CO-OPERATION  
TO THE MINISTER FOR FOREIGN AFFAIRS AND CO-OPERATION  
OF SPAIN, CHAIRPERSON OF THE FIFTEENTH MEETING OF  
THE MINISTERIAL COUNCIL**

(Annex 14 to MC(15) Journal No. 2 of 30 November 2007)

Your Excellency,

As Chairperson of the Forum for Security Co-operation (FSC), it is a pleasure for me to inform you about the activities of the FSC since the Fourteenth Meeting of the Ministerial Council. In this respect, I have consulted with my colleagues from Cyprus and the Republic of Croatia, who held the FSC Chairmanship earlier in 2007. The Chairpersons have worked in close co-operation to obtain continuity, balance and efficiency in the annual work programme. The focus in 2007 has remained on the core politico-military issues, such as arms control and confidence- and security-building measures (CSBMs), small arms and light weapons (SALW), stockpiles of conventional ammunition (SCA), including rocket fuel component “melange”, and last but not least, the Code of Conduct on Politico-Military Aspects of Security (CoC).

One of the most important events in the yearly FSC work programme, the Seventeenth Annual Implementation Assessment Meeting (AIAM) was held on 6 and 7 March for the purpose of discussing present and future implementation of agreed CSBMs, as established in Chapter IX of the Vienna Document 1999.

This year's Meeting introduced two new agenda elements, namely, a meeting of the heads of verification centres and a working session aimed at providing suggestions for improved implementation of CSBMs. Both sessions were acknowledged by many delegations as an enrichment of the discussions. During the course of the Meeting, a great number of suggestions were made for the further implementation of OSCE documents, and these have been the basis for discussions during the remainder of the year. So far, the suggestions have resulted in three FSC decisions.

Following the AIAM, the FSC in May prepared its contribution to the OSCE Annual Security Review Conference for 2007. The contribution consisted of a list of politico-military elements that were meant to serve as a suggestion of topics for discussion at the Conference.

During the course of the year it became necessary to depart from the planned FSC work programme because a number of occurrences turned out to have implications for the work in the Forum. These occurrences included the international focus on the preparations to set up a missile defence system in Europe; the emerging uncertainty regarding the European security framework; and also the missile incident, which took place in Georgia on 6 August. All of these occurrences have led to an intensified dialogue on confidence- and security-building measures, which has emphasized the FSC's importance as a platform to address and discuss security issues.

Especially the Forum's agenda item “Security Dialogue” has proven valuable as a tool to bring up regional and subregional security issues, since it is customary for the Chairperson

not to reject requests from participating States to offer a Security Dialogue presentation. It is worth noting that, on issues that may have been of a sensitive nature to some participating States, these States have responded with an active, rather than a passive, engagement in the Security Dialogue. This has been an encouraging experience for the Chairperson and for the FSC as a whole.

It should also be noted that several proposals on CSBMs with relation to the Vienna Document 1999 have been discussed in the FSC working groups.

While the Security Dialogue has gained recognition in 2007 as a platform to discuss topics of specific concern and current security issues, the special FSC meetings continued to be an important instrument to focus on issues of general interest to the Forum.

The Special FSC Meeting on Existing and Future Arms Control and Confidence- and Security-Building Measures in the OSCE Area was a reaction to changes in the security environment and the challenges pertaining to the European security framework.

At the Special Meeting, it was acknowledged that the international security environment had undergone a significant change since the end of the Cold War. Although “old” threats continued to exist, the emergence of new challenges needed to be borne in mind. The fact that the core of the European arms control regime had originated almost two decades ago was recognized, and consequently the possibility of updating these measures should at least be considered. It was emphasized that existing CSBM instruments continued to have relevance in the present security environment, and that they should therefore not be discarded. Only by building on past achievements would future challenges be overcome.

The Special Meeting afforded an opportunity to exchange views and comments in a structured and specialized manner. Thus, the Meeting contributed to the collective aim of strengthening European security.

With regard to implementation of the OSCE Documents on Small Arms and Light Weapons (2000) and Stockpiles of Conventional Ammunition (2003), these Documents also continued to receive considerable attention. Progress reports on the further implementation of both Documents have been forwarded to the Ministerial Council. It should be noted that the OSCE project on elimination of rocket fuel “melange” in Armenia was brought to a successful conclusion in 2007. Furthermore, the OSCE completed its assistance to Ukraine in overcoming the devastating consequences of the disaster in Novobohdanivka. Three new requests for assistance were submitted by Georgia, Montenegro and Ukraine relating to enhancement of the security and management of stockpiles of conventional ammunition and its destruction. In addition, the OSCE launched joint OSCE-United Nations Development Programme (UNDP) projects on SALW and conventional ammunition in Belarus and Montenegro. The projects are being implemented on the basis of the Memorandum of Understanding signed between the OSCE Secretariat and the UNDP in 2006. Whilst welcoming those that were made, it should be noted that donations for SALW projects declined by approximately 50 per cent in 2007. The reasons for this reduction should be examined.

In addition to the work carried out by the OSCE field missions with regard to SALW and SCA, on 21 March, the FSC held a Special FSC Meeting on Combating the Illicit Trafficking of Small Arms and Light Weapons by Air. Presentations revealed the close links



between illicit trafficking of SALW and security threats such as terrorism and regional conflicts. The discussions at the Meeting focused on improving control over the air-cargo sector through enhanced implementation of relevant international regulations and international commitments. The participating States supported the development of a mechanism to exchange information on national legislation and regulatory frameworks, enhanced dialogue and increased synergy between actors in the field and the development of a best practice guide on combating illicit trafficking of SALW. The discussions and endorsements of the Meeting have served as a basis for further discussions in 2007.

Other aspects of small arms control have also been discussed. This has resulted in an FSC decision requesting the participating States to exchange information on their present regulations concerning brokering activities with regard to small arms and light weapons.

The OSCE Code of Conduct on Politico-Military Aspects of Security is a normative document adopted by the OSCE participating States with a view to enhancing norms of responsible and co-operative behaviour in the field of security and responsibilities of States towards each other as well as democratic control of armed forces in the OSCE region.

During 2007, several food-for-thought papers and proposals for draft decisions were introduced by a number of participating States concerning, for example, a review of the Questionnaire; suggestions to promote public awareness; publication and outreach; and supplementary measures to further the implementation of the Code.

On 23 May, the FSC convened a special meeting of Working Group A on the Code of Conduct on Politico-Military Aspects of Security. The meeting represented a follow-up to the successful meeting on the Code of Conduct held on 27 September 2006.

The special meeting of Working Group A aimed at contributing to better implementation of the Code of Conduct based on a number of proposals, which served as a platform for interactive discussion. The debate was structured in three clusters: (1) suggestions on how to strengthen the implementation of the CoC, (2) suggestions on how to promote public awareness, publication and outreach of the CoC, and (3) suggestions regarding supplementary measures to improve implementation of the CoC.

Following the meeting, an FSC co-ordinator was appointed. The main function of the co-ordinator is to collate ideas, views, proposals and inputs by the delegations of participating States concerning the CoC, and to help the FSC Chairperson and Troika to develop modalities for implementing the various steps in furthering the implementation of the CoC.

After the first phase of consultations, progress can be seen in developing a draft for updating the questionnaire and consolidating a register of proposals.

In addition to discussions in the FSC, the OSCE and the Conflict Prevention Centre (CPC) organized several seminars and workshops in 2007 to support implementation of the Code:

- The OSCE Mission to Bosnia and Herzegovina organized three OSCE Code of Conduct seminars for non-military and military security-sector professionals to familiarize them with the Code and commitments to its implementation;

- The OSCE Office in Yerevan supported a three-day training seminar on the democratic control of the armed forces, from 30 March to 1 April, in Tsakhkadzor, Armenia. Representatives of the Defence Ministry, parliament, media and NGOs took part in the event, at which basic principles of good governance in the security sector, as well as the rights of defence personnel were discussed;
- On 2 and 3 August, the OSCE Office in Baku organized a meeting on the principles of democratic control of the armed forces and ways to address the welfare needs of Azerbaijan's service personnel. Participants in the meeting discussed how to enhance the capacity of the community at large to ensure transparent and fair treatment for service personnel and their families, as well as topics such as human rights in the military context, the role of welfare in modern armed forces, and the role of external civil associations in the effective oversight of the security sector;
- Finally, the CPC, in co-operation with Switzerland, organized a seminar on the democratic control of armed forces and implementation of the OSCE Code of Conduct in Podgorica, Montenegro, on 27 and 28 September 2007. The purpose of the seminar was to promote awareness of the parliamentary responsibilities outlined in the Code of Conduct primarily among the members of the newly established Parliamentary Defence Committee of Montenegro. It also aimed at fostering dialogue and co-operation between the country's parliamentarians, ministries and senior military personnel involved in the oversight of the armed forces in order to promote full implementation of commitments stemming from the Code of Conduct and to assist Montenegro in fulfilling these commitments.

The implementation of UN Security Council resolution 1540 (2004) on non-proliferation of weapons of mass destruction continues to be an area of great significance. This was clearly shown at the G8 Summit in June 2007, where the Heads of State underlined the importance of full implementation of resolution 1540 and reiterated their support for the efforts of the 1540 Committee, including the sharing of best practices. The FSC has discussed concrete steps towards the development of a best practice guide on the subject, and a draft version is currently being prepared by the United States and Canada.

The best practice guide is a regional initiative in support of the work carried out by the 1540 Committee. Therefore, the guide is intended for use within the OSCE region of the 56 participating States, but it will, of course, also serve an outreach purpose. Thus, the guide should also be considered a possible source of inspiration for the 11 OSCE Partners for Co-operation, as well as other countries currently in the process of implementing resolution 1540. The OSCE sees such efforts as supportive of the 1540 Committee's strategy to work with regional organizations, which have first-hand knowledge of existing non-proliferation challenges.

In terms of awareness-raising and outreach initiatives, the FSC Chairmanship has participated in 1540 seminars in Jordan and Kyrgyzstan. These initiatives and others prove that the OSCE has already gone far in its support of the implementation of resolution 1540, yet, within the Organization, there is not only the potential, but also a significant will to examine the possibility of taking even further steps.

In the development of new measures, the FSC has looked into the area of Civil-Military Emergency Preparedness (CMEP). The Forum held a Special Meeting on the subject

on 26 September for the purpose of awareness-raising, information-sharing and networking. Presentations made at the Meeting pointed to the fact that preparation for emergencies is a national responsibility. However, as no two crises are alike and often cross-dimensional in nature, affected countries or regions can be in need of assistance from other countries and international organizations. The discussions focused on a possible role for the OSCE within this field, without duplicating the efforts undertaken by other organizations such as the UN or the EU. At the Meeting, it was stressed that the FSC in a way already contributes to CMEP in the form of conflict prevention, e.g., projects on SALW and SCA. A proposal on an extended dialogue on the subject with the OSCE Partners for Co-operation is currently being discussed in the FSC.

Another area for development of measures could be that of anti-personnel landmines. Based on a proposal from Germany and France, Working Group A has agreed on holding a special meeting early in 2008, under the Spanish FSC Chairmanship. The meeting will be devoted to addressing ways of enhancing the OSCE's role in combating anti-personnel landmines. The initial aim will be to collate ideas, views and inputs by the delegations of participating States with a view to the possible development of proposals on ways in which the OSCE could deal with this issue.

Finally, let me state that it has been the aim of all three FSC Chairmanships in 2007 to strengthen co-operation with the Permanent Council (PC) as part of the OSCE's concept of comprehensive and indivisible security. Joint FSC/PC meetings have been held to address issues related to security in a cross-dimensional and integrated way. The synergistic effect of this strengthened co-operation should lead to further accomplishments in a broad range of politico-military activities across the OSCE area in 2008.

**FSC CHAIRPERSON'S PROGRESS REPORT TO  
THE MINISTERIAL COUNCIL ON FURTHER IMPLEMENTATION  
OF THE OSCE DOCUMENT ON STOCKPILES OF  
CONVENTIONAL AMMUNITION**

(MC.GAL/6/07 of 14 November 2007)

**Executive Summary**

In accordance with Ministerial Council Decision No. 8/06, adopted in Brussels in 2006, this report provides a comprehensive factual progress report on the status of implementation of the OSCE Document on Stockpiles of Conventional Ammunition (SCA) from December 2006 to December 2007. The report also indicates the specific areas where most urgent action/assistance is needed.

Conventional ammunition and liquid rocket fuel (melange) project activities proved that this issue has a clear cross-dimensional impact, affecting all three OSCE dimensions. Through the implementation of the Document on SCA, the OSCE acquired more clear understanding of the threats and assistance requirements. This has raised awareness that made optimization of donors' support possible. Projects have brought together experts and project implementation experience. All this has led to a better co-operation among the three OSCE dimensions and exchange of information with other international actors.

The ambition of the OSCE Handbook of the Best Practice Guides on Conventional Ammunition, based on national and international experiences, is to become a practical supplement to the Document on SCA aimed at improving national capabilities of participating States to tackle the problem in the long run themselves. In the course of 2007, the FSC Editorial Review Board has been developing three best practice guides and completed its work on one of them — on Marking Registration and Record-Keeping of Ammunition.

While the participating States are responsible for their own stockpiles, the OSCE has embarked in assistance projects in accordance with the Document on SCA procedure. Assessment of requests and project development are now a significant part of the activities of the FSC, participating States and the OSCE Secretariat. In many cases, the OSCE field operations are eager to play the role of implementing agents.

The report describes the progress achieved and future challenges in Armenia, Kazakhstan, Tajikistan and Ukraine. In addition, four new requests were submitted in 2007 by Georgia, Moldova, Montenegro and Ukraine. Two of the projects were finished in 2007: elimination of rocket fuel "melange" in Armenia and assisting Ukraine to overcome devastating consequences of the disaster in Novobohdanivka.

Information on donors' assistance shows that in 2007, over 950,000 euros were pledged for conventional ammunition and liquid rocket fuel (melange) projects. At the same time, the continuation of the implementation of existing projects or project proposals require about 12 million euros for 2008–2011.

The report also covers co-operation in this field within the OSCE and exchange of information with other international organisations.

The final part of the report offers conclusions and recommendations.

## **1. Introduction**

At the last Ministerial Council meeting in Brussels the OSCE Forum for Security Co-operation, through its Chairperson, was tasked to submit to the Fifteenth Meeting of the Ministerial Council a progress report on further implementation of the OSCE Document on Stockpiles of Conventional Ammunition (SCA) (MC.DEC/8/06). The present report covers ongoing efforts to address the challenges posed by ammunition stockpiles, donors to assistance projects, as well as conclusions and recommendations. The report covers a period from December 2006 to December 2007.

It has been acknowledged that surplus stockpiles of conventional ammunition, including rocket fuel component melange, adversely affect not only security and stability of the concerned States, but also may lead to environmental and humanitarian catastrophe. Since 1995 there have been more than 156 known or suspected explosive events in ammunition storage areas, out of which 40 in the OSCE participating States<sup>1</sup>.

In 2007, the OSCE continued providing practical assistance to OSCE participating States and exploring best practices. As shown in the report, the OSCE has been able to respond to requests and assist participating States in building or strengthening their national capacities by providing expertise, mobilizing both technical and financial resources, and implementing projects, including through co-operation with United Nations Development Programme (UNDP).

## **2. Objective**

This report aims at providing an update on the implementation of general principles on conventional ammunition agreed by all participating States in the Document on SCA. The report also describes the progress achieved on conventional ammunition project activities developed in response to assistance requests from participating States from December 2006 until December 2007 (for full reference of OSCE activities on conventional ammunition, see MC.GAL/4/05 and MC.GAL/5/06)<sup>2</sup>.

The report is primarily designed to provide an overview of the status of projects, and best practice guides, and to highlight the issues challenging successful implementation of the OSCE projects under the Document on SCA in the near future.

---

1 Source: SEESAC report on recent explosive events (Edition 2007/5) from 10 September 2007.

2 The deadline for submitting input for this report was 14 November 2007.

### **3. National efforts**

#### **3.1 National efforts related to stockpiles of conventional ammunition**

In the OSCE Document on SCA, paragraph 14, OSCE participating States recognize their national responsibility for their own stockpiles of conventional ammunition, explosive material and detonating devices, as well as for the identification and reduction of surpluses. In 2007, a number of participating States, including Moldova, Georgia and Ukraine, shared information on their national experience in tackling specific ammunition problems through both general background information related to request for assistance, and in-kind contribution to the projects. For more information please see Section 4 of the report.

Participating States participated in the development of best practice guides. For more information, please see Sections 3.2 and 4 of the report.

#### **3.2 Development of best practice guides**

The FSC Editorial Review Board continued its work in 2007 on developing best practice guides and completed the guides on:

- Marking Registration and Record-Keeping (drafted by Germany);
- The FSC subsequently approved these documents for publication in FSC.DEC/12/07.

The FSC Editorial Review Board is currently working on two more guides on destruction of conventional ammunition and on physical security of conventional ammunition. The work of the FSC Editorial Review Board will continue in 2008. It is planned to gather best practice guides on stockpiles of conventional ammunition in a handbook and publish them once they have been finalized and endorsed by the FSC.

### **4. OSCE assistance pursuant to the Document on SCA**

In 2007, the OSCE continued the implementation of projects in response to assistance requests on conventional ammunition submitted by participating States. In addition, four new requests were submitted in 2007 by Georgia, Moldova, Montenegro and Ukraine thus bringing the total number of requests to fourteen. The new requests are being implemented by the OSCE field operations or UNDP in close co-ordination with the FSC.

Following successful internal developments allowing dealing with disposal of obsolete ammunitions through national means, the Russian Federation withdrew its request for assistance in March 2007.

**Chart I. Original requests for assistance  
(lists requests as they were initially submitted)**

<b>Requesting State</b>	<b>Scope of the problem (as specified in national requests)</b>
Armenia	Elimination of 862 tonnes of rocket fuel component (melange) stocks.
Azerbaijan	Elimination of 1,200 tonnes of rocket fuel components (melange and samine) stocks and site clean-up.
Belarus	Disposal of 97,000 tonnes of surplus ammunition, increasing by 4,000 to 7,000 tonnes per year, including missiles and hexogen ammunition, through development of national capacity or transportation for disposal in a third country. (While there is an ongoing State programme on ammunition disposal (2.5 million USD), Belarus is lacking technical capacity to dispose of all types of surplus ammunition).
Georgia	1. Demilitarization of 4,300 tonnes of surplus ammunition (artillery shells, guided and unguided missiles, aviation bombs, pyrotechnic ammunition and shells of various calibre). 2. Remediation of soil at five former military airfields.
Kazakhstan	1. Assistance in the disposal of transportable conventional ammunition using industrial facilities in Arys and Kapchagai. 2. Assistance in the disposal of non-transportable conventional ammunition in their storage location (Ayaguz, Uch-Aral, Semipalatinsk and Ust-Kamenogorsk). 3. Re-establishment of SCA test laboratory to carry out regular examination of conventional ammunition. 4. Establishment of conventional ammunition management system as an integral part of a common armed forces procurement and management system. 5. Elimination of 1,550 tonnes of rocket fuel component (melange) stocks.
Moldova	1. Destruction of surplus conventional ammunition. The pilot project focuses on the destruction of initial 11,400 rounds of ammunition. 2. Improvement of CA stockpile security and management.
Montenegro	1. Destruction of 9,900 tonnes surplus conventional ammunition. 2. Elimination of 160 tonnes rocket fuel components (melange, samine) and napalm stocks 3. Improvement of stockpile security and management.
Russian Federation	1. Request for the disposal of surplus ammunition in Kaliningrad Oblast (100,000 tonnes, including 20,000 tonnes in dangerous condition). 2. Improvement of stockpile security and management.
Tajikistan	Specific situation: organic arsenals stored together with unexploded ordnances (UXOs) collected from the battlefield. Storage locations and conditions are not acceptable and present serious danger to staff, local population and civil infrastructure.

<b>Requesting State</b>	<b>Scope of the problem (as specified in national requests)</b>
Ukraine	<ol style="list-style-type: none"> <li>1. New destruction capacities for hexogen and part-hexogen charges in western Ukraine.</li> <li>2. Improvement of security system for ammunition stockpiles.</li> <li>3. Disposal of 16,500 tonnes of liquid rocket fuel component (melange). Following the consultations between the government of Ukraine and the OSCE, it is planned to eliminate 3,000 tonnes of melange as the pilot project.</li> <li>4. Assistance in overcome consequences of the Novobohdanivka storage site disaster (destruction of remaining ammunition, area clean-up.)</li> <li>5. Assistance in clearing unexploded ammunition left on the territory of Ukraine.</li> </ol>
Uzbekistan	Elimination of over 1,000 tonnes of rocket fuel component (melange) stocks.

#### **4.1 Requests for assistance in disposing of conventional ammunition**

##### **4.1.1 Requests under assessment/project development phase**

Based on 2005 assessment results (FSC.DEL/69/05) the OSCE continued discussing with Kazakhstan potential projects on supporting national demilitarization activities run by the MOD. In particular, the options on establishing a test laboratory to measure the status of obsolete ammunition and supporting demilitarization process are under consideration.

In May 2007, the OSCE Mission to Georgia, the Conflict Prevention Centre (CPC) and South Eastern and Eastern Europe Clearing House for the Control of Small Arms and Light Weapons (SEESAC) conducted an assessment of on-going and planned demilitarization activities in Georgia and funded by the OSCE. One of the most important recommendations of the experts on further action and optimization of the OSCE support was to develop a demilitarization plan for Georgia.

Moldova requested OSCE assistance in destroying surplus obsolete conventional ammunition and improving stockpile management and security of the army holdings in December 2006. In May 2007, the OSCE conducted a visit to assess the current situation on stockpile security. The assessment report (FSC.GAL/87/07) confirmed the need for assistance and recommended reviewing the level of required ammunition holdings based on the OSCE surplus criteria. In line with this recommendation, in July 2007, Moldova decided to destroy all cluster ammunition held by the armed forces. The OSCE Mission to Moldova is supporting national efforts in this respect by providing technical expertise.

The report of the assessment visit recommended that training on safe and security stockpile management of ammunition be organized. In this regard, OSCE Mission to Moldova and the CPC arranged physical stockpile security training to be provided by the United States of America specialists in October and November 2007.

In October 2007, the Ministry of Emergency of Ukraine asked for assistance in providing equipment needed for ground and under water clearance of unexploded



ammunition left of its territory, especially in the area around the cities of Sevastopol and Kerch. The FSC is currently examining the request submitted by Ukraine.

In 2006–2007, there were no activities with respect to Belarus' request for assistance.

#### 4.1.2 Projects under implementation

Since 2003, the OSCE Mission has been supporting development of national demilitarization capacities of Georgian authorities and disposal of surplus ammunition. Based on the outcomes of the assessment visit mentioned above Georgia officially requested assistance through the FSC assistance mechanism in demilitarization of approximately 4,300 tonnes of surplus ammunition and conducting survey on contamination of former airfields in July 2007.

In October 2007 Georgian authorities supported by the OSCE funds started a pilot three month project to dispose around 150 tonnes of TNT-ammunition at cost of 462 euros per tonne.

The airfield contamination survey at Kopitnari airfield started in October 2007 and is planned to be completed by the end of November 2007.

Donor	Funds pledged (EUR)	Project
<b>2007</b>		
Spain	95,000	Demil and airfield

As part of the OSCE response to the request of Moldova the OSCE Mission in Moldova, supported by the CPC and SEESAC, developed a project on destruction of about 350 tonnes of obsolete ammunition by open detonation. The disposal cost is approximately 337 euros per tonne. The implementation started in June 2007 and is planned to be completed by the end of December 2007.

The following pledges have been made to projects.

Donor	Funds pledged (EUR)	Phase
<b>2006</b>		
Finland	160,000	Destruction of obsolete ammunition

In February 2007, Montenegro requested OSCE assistance in destroying surplus ammunition, improving stockpile management and security and eliminating toxic chemicals (rocket fuel components and napalm component). Based on the Memorandum of Understanding between the OSCE Secretariat and UNDP, the Programme for Montenegro Demilitarization (MONDEM) was established under UNDP management. The OSCE is providing political support, technical expertise in project implementation on the elimination of toxic chemicals and funding. The implementation of the programme is planned for 2007–2009. The most urgent project of MONDEM on elimination of toxic chemicals started in June 2007 and is planned to be completed by end of spring 2008.

The following pledges have been received by the OSCE in support of MONDEM programme:

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Phase</b>
<b>2007</b>		
Denmark	150,000	Destruction of surplus ammunition
Liechtenstein	20,000	Elimination of toxic chemicals
Spain	75,000	Destruction of surplus ammunition
Sweden	285,714	MONDEM Programme General (directly to UNDP)
<b>TOTAL</b>	<b>530,714</b>	<b>2007</b>

In 2007, the OSCE Centre in Dushanbe continued the implementation of the Comprehensive Programme on Small Arms and Light Weapons (SALW) and Conventional Ammunition in Tajikistan. Following the successful completion of Phase I of the Programme in November 2006, the OSCE Centre in Dushanbe started the implementation of Phase II extending the scope of action from capital throughout the country's regions, including Tajik-Afghan border.

Phase II, scheduled for 2007–2008, includes four tasks on conventional ammunition:

- Task I: Disposal of surplus rocket boosters C-75;
- Task II: Capacity-building on improvised explosive devices disposal (IEDD);
- Task IV: Improving CA stockpile security for the Ministry of Defence; and,
- Task V: Training of ammunition technician and conventional ammunition physical security and stockpile management.

The tragic death of two Norwegian Chief Technical Advisers in June 2007 slowed down implementation speed for several months.

Task I. Disposal of surplus rocket boosters C-75 was accomplished by the technical experts from the Russian Federation in November 2007.

The tendering process for procurement of improvised explosive devices disposal (IEDD) equipment has been under way.

The total budget of these tasks under Phase II is around 300,000 euros. The following contributions have been made by the OSCE participating States:

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Phase</b>
<b>2005</b>		
France	In-kind (EOD training programme — EUR 60,000)	Phase I
Netherlands	266,812	Phase I
Norway	30,000	Phase I (both SALW and conventional ammunition)
Norway	In-kind (Secondment of Chief Technical Adviser)	Phase I
Slovenia	40,000	Phase I
United States of America	In-kind (Physical security and stockpile management course)	Phase I
<b>2006</b>		
Andorra	20,000	Phase II
France	In-kind (EOD training programme — EUR 60,000)	Phase I
Norway	60,000	Phase II (both SALW and conventional ammunition)
Norway	In-kind (Secondment of Chief Technical Adviser)	Phase II
Norway	110,250	Phase II
Slovenia	19,808	Phase II
Spain	100,000	Phase II
<b>TOTAL</b>	<b>766,870</b>	<b>2005–2007</b>

In 2006–2007 the OSCE implemented a project aimed at assisting Ukraine to implement a state programme and action plan on urgent measures to overcome the devastating consequences of the technological disaster in Novobohdanivka (Zaporizhyya region). Within this project based on the outcomes of the OSCE-EU assessment conducted in July 2006, the OSCE Project Co-ordinator in Ukraine supported by the CPC has procured and supplied the Ministry of Emergency of Ukraine with the following equipment:

- Personal protective equipment;
- Specialized detection equipment; and,
- Clearance equipment.

The project was successfully completed in August 2007 and final briefing provided to the FSC on 3 October 2007.

The following contributions have been pledged by OSCE participating States to support this project:

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2005</b>	
Luxembourg	20,000
Slovenia	25,000
<b>2006</b>	
Belgium	25,000
Czech Republic	30,000
Lithuania	10,000
Luxembourg	16,500
Poland	39,400
Slovenia	15,000
United States of America	59,100
<b>TOTAL</b>	<b>240,000</b>

#### **4.2 Requests for assistance on elimination of liquid rocket fuel components (melange and samine)**

At the end of 2006, an informal “Group of Friends” for elimination of rocket fuel component “melange” was established to discuss and speed up the implementation of projects in this field.

In Armenia, the disposal phase of the project on elimination of melange (liquid rocket fuel component) was successfully completed by the OSCE Office in Yerevan by September 2007, on time and within budget. 872 tonnes of melange were converted into environmentally friendly and safe mineral dressing by the MOD of Armenia using a conversion facility designed by and constructed under control of the OSCE. The cost of disposal was 1,430 euros per tonne of melange. In November 2007, the Project Manager debriefed the Group of Friends of Melange on the successful completion of the project.

The following contributions have been pledged by OSCE participating States to support the OSCE project on disposal of liquid rocket fuel melange in Armenia:

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2005</b>	
Finland	266,408
Germany	65,000
United States of America	903,454
<b>2007</b>	
United States of America	70,000
<b>TOTAL</b>	<b>1,304,862</b>

In Kazakhstan, the total amount of melange to be disposed of was decreased by the Ministry of Defence of Kazakhstan to 410 tonnes. Based on the extensive consultations with the OSCE, the Government of Kazakhstan decided to take the lead in the project implementation, while the OSCE is providing technical advice, expert monitoring and limited financial support. The government takes the full responsibility and liability arising from the selection of contractor and the implementation of the project. Also, in addition to the operational support, it contributes approximately 630,000 euros. Project implementation phase is planned to be completed in 2008.

The following contributions have been pledged by the OSCE participating States to support this project:

<b>Donor</b>	<b>Funds Pledged (EUR)</b>
<b>2006</b>	
Spain	150,000
Sweden	40,000
<b>TOTAL</b>	<b>190,000</b>

The melange project in Ukraine is going to become one of the largest OSCE extra-budgetary projects. In 2006–2007, the OSCE Secretariat supported by the OSCE Project Co-ordinator in Ukraine was implementing Phase II of the project aimed at following:

- Initiating fundraising campaign. On 22 March 2006, the Appeal to Donors was jointly signed by the OSCE Project Co-ordinator in Ukraine and the Minister for Defence of Ukraine, reconfirming mutual agreement to undertake a project to eliminate melange stocks and appealing to the donor community for assistance. The fundraising strategy aims at securing funds for separate implementation Phases. Phase III-A envisages disposal of the initial 3,000 tonnes of melange;
- Developing the Memorandum of Understanding (MoU) between the Cabinet of Ministers of Ukraine and the OSCE on the OSCE-Ukraine Project on Eliminating Melange Stockpiles and respective Terms of Reference (ToR). The MoU between the OSCE and the Government addresses all crucial factors, including the scope of the project, roles and responsibilities of the parties, national contribution and facilities for project implementation, immunities and other aspects. The key technical document, prescribing detailed technical requirements — ToR was elaborated by the OSCE Secretariat supported by the team of melange experts involved in other OSCE melange projects and reviewed by independent international experts. The ToR was also agreed with Ukrainian authorities and is considered to be a consistent part of the MoU;
- Conducting an international tender based on the ToR to identify a duly qualified, competent and capable contractor with proven track record in relevant activities for the elimination of initial 3,000 tonnes of melange. The tender will comply with main OSCE procurement principles: non-discrimination, full and fair competition, transparency as well as best value for money.

An estimated budget for the pilot phase is approximately 2.9 million euros.

The following contributions have been officially pledged by OSCE participating States to support the OSCE project on disposal of melange in Ukraine:

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2006</b>	
Czech Republic	20,000
Finland	190,000
Poland	78,800
Spain	150,000

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2007</b>	
Czech Republic	63,635
Spain	200,000
<b>TOTAL</b>	<b>702,435</b>

In 2006–2007, there were no activities with respect to Azerbaijan and Uzbekistan requests for assistance.

### 4.3 Donors

The table below indicates pledges of financial support made by delegations towards the implementation of projects on conventional ammunition, explosive material and detonating devices in the period 2005–2007.

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country Assisted</b>
<b>2005</b>		
France	In-kind (EOD training programme — 60,000)	Tajikistan, Phase I
Luxembourg	20,000	Ukraine, Novobohdanivka
Netherlands	266,812	Tajikistan, Phase I
Norway	30,000	Tajikistan, Phase I
Norway	Secondment of Chief Technical Adviser	Tajikistan, Phase I
Slovenia	40,000	Tajikistan, Phase I
Slovenia	25,000	Ukraine, Novobohdanivka
United States of America	Stockpile management course	Tajikistan, Phase I
<b>TOTAL</b>	<b>441,812</b>	<b>2005</b>
<b>2006</b>		
Andorra	20,000	Tajikistan Phase II
Belgium	25,000	Ukraine, Novobohdanivka
Czech Republic	30,000	Ukraine, Novobohdanivka
Finland	160,000	Moldova
France	In-kind (EOD training programme — 60,000)	Tajikistan, Phase I
Lithuania	10,000	Ukraine, Novobohdanivka
Luxembourg	16,500	Ukraine, Novobohdanivka
Norway	60,000	Tajikistan, Phase II
Norway	110,250	Tajikistan, Phase II
Norway	Secondment of Chief Technical Adviser	Tajikistan, Phase II
Poland	39,400	Ukraine, Novobohdanivka
Slovenia	19,808	Tajikistan, Phase II
Slovenia	15,000	Ukraine, Novobohdanivka
Spain	100,000	Tajikistan, Phase II
United States of America	59,100	Ukraine, Novobohdanivka
<b>TOTAL</b>	<b>725,058</b>	<b>2006</b>

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country Assisted</b>
<b>2007</b>		
Denmark	150,000	Montenegro, destruction of surplus ammunition
Liechtenstein	20,000	Montenegro, elimination of toxic chemicals
Spain	95,000	Demil and airfield
Spain	75,000	Montenegro, destruction of surplus ammunition
Sweden	285,714	Montenegro MONDEM General (directly to UNDP)
United States of America	In-kind (physical security and stockpile management)	Moldova
<b>TOTAL</b>	<b>625,714</b>	<b>2007</b>
<b>TOTAL CA</b>	<b>1,792,584</b>	<b>2005, 2006 and 2007</b>

The table below indicates pledges of financial support made by delegations towards the implementation of projects on elimination of the rocket fuel component (melange) in the period 2005–2007.

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country Assisted</b>
<b>2005</b>		
Finland	266,408	Armenia, melange
Germany	65,000	Armenia, melange
United States of America	903,454	Armenia, melange
<b>TOTAL</b>	<b>1,234,862</b>	<b>2005</b>
<b>2006</b>		
Czech Republic	20,000	Ukraine, melange
Finland	190,000	Ukraine, melange
Poland	78,800	Ukraine, melange
Spain	150,000	Kazakhstan, melange
Spain	150,000	Ukraine, melange
Sweden	40,000	Kazakhstan, melange
<b>TOTAL</b>	<b>628,800</b>	<b>2006</b>
<b>2007</b>		
Czech Republic	63,635	Ukraine, melange
Spain	200,000	Ukraine, melange
United States of America	70,000	Armenia, melange
<b>TOTAL</b>	<b>333,635</b>	<b>2007</b>
<b>TOTAL melange</b>	<b>2,197,297</b>	<b>2005, 2006 and 2007</b>
<b>TOTAL CA and melange</b>	<b>3,969,631</b>	<b>2005, 2006 and 2007</b>

## **5. Co-operation and exchange of information with other international organizations**

### **5.1 Co-operation within the OSCE**

#### Presentations at the FSC by heads of OSCE missions

During 2007, the practice of head of missions/project managers reporting to the FSC on politico-military activities and projects continued. Project managers from the following countries reported on project implementation: Armenia, Tajikistan and Ukraine.

#### Workshop on Effective Stockpile Management and Security and Destruction of SALW and Conventional Ammunition, Chisinau, 24 and 25 September 2007

The Conflict Prevention Centre (CPC) in co-operation with OSCE Mission to Moldova conducted a Seminar on SALW and Conventional Ammunition Stockpile Management and Security and Destruction in Moldova on 24 and 25 September. Representatives of relevant ministries and other governmental agencies attended the workshop together with representatives of Germany, Sweden, the United Kingdom, the United States of America, NATO/NAMSA and the UNDP in Bosnia and Herzegovina. The purpose of the initiative was to acquaint the Moldovan representatives with the OSCE commitments on SALW and stockpiles of conventional ammunition and engage in discussion on best practices in identifying surpluses and ensuring effective stockpile management and security.

Participation at Ministerial Council meetings. At the request of the FSC Chair, the FSC Co-ordinators on Projects on SALW and Conventional Ammunition together with the CPC prepared an exhibition displaying FSC assistance projects on SALW and conventional ammunition. Additionally, a documentary film and an information brochure were prepared describing the assistance mechanism and providing details of some projects.

At the joint FSC-PC meeting on 11 July 2007, the Director of the Conflict Prevention Centre, made a proposal to hold an FSC Workshop on Technical, Managerial and Financial Implications of Existing and Planned Projects on SALW and SCA. Having studied the concept paper prepared by the CPC, the FSC decided to hold such a workshop on 5 and 6 February 2008 (FSC.DEC/13/07). The goal of the workshop is to, *inter alia*, review and facilitate project implementation on SALW and SCA.

### **5.2 Co-operation with the UNDP**

In 2007, the implementation of two joint OSCE-UNDP projects started. The Joint Programme of Demilitarization of Montenegro (MONDEM) dealt with issues related to conventional ammunition and focused on the elimination of toxic chemicals, destruction of surplus conventional ammunition and enhancing stockpile security of the remaining holdings. In this regard, FSC Co-ordinators on SALW and Conventional Ammunition Projects and the CPC had a number of consultations with the UNDP Bureau for Crisis Prevention and Recovery and relevant UNDP country offices in order to ensure smooth implementation.



### **5.3 Exchange of information with other international organizations**

#### NATO Euro-Atlantic Partnership Council

On 4 June 2007, Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator on SALW Projects attended the meeting of the NATO EAPC and delivered a presentation on OSCE activities on SALW and Conventional Ammunition.

#### OSCE-NATO staff talks

The OSCE regularly conducted staff talks with NATO to exchange information on the planned, current and planned projects with regard to conventional ammunition. Particularly, two rounds of staff talks were held during the reporting period in March and September 2007.

Participation in the expert meeting in Berlin, 3 and 4 April 2007: “Enhancing controls and promoting reductions in stockpiles of conventional arms and ammunition”.

Participation in the Workshop on Surplus SALW and Ammunition Decision-Making in Geneva, 12 and 13 April 2007.

## **6. Conclusions**

The OSCE Document on Stockpiles of Conventional Ammunition (SCA) remains an effective and useful tool in addressing the problems arising from stocks of conventional ammunition. It continues to serve as an important framework for dealing with surpluses and stockpiles of ammunition with a view to reducing the risk of destabilizing accumulation and uncontrolled proliferation.

The implementation of the OSCE Document on SCA, dealing with request for assistance from the participating States in the field of destruction, stockpile management and security, remains one of the most dynamic areas of implementation of the Document. Participating States pledged more than 950,000 euros for the projects on conventional ammunition in 2007. Four new requests were submitted in 2007, and the OSCE has successfully concluded two projects in Armenia and Ukraine.

Developing best practices guides on conventional ammunition is an important step in the implementation of the OSCE Document on SCA. In 2007, the FSC Editorial Review Board completed its work on another Best Practice Guide — on Marking Registration and Record-Keeping of Ammunition. Until now three best practices guides have been finalized, FSC Editorial Review Board will continue its work on the two remaining guides in 2008. The practice of regular reporting to the FSC on the status of project implementation is an important tool for effective and efficient management of OSCE projects on conventional ammunition.

The FSC Workshop on Technical, Managerial and Financial Implications of Existing and Planned Projects on SALW and SCA, scheduled to be held on 5 and 6 February 2008, is a timely and useful event. It could allow for planning of future projects and facilitate the implementation of the on-going assistance initiatives, taking into account requirements and

preferences of donors and recipients. The conclusions and recommendations of the workshop could be included in the FSC Chairpersons' progress report to the Sixteenth Meeting of the Ministerial Council in Helsinki in 2008.

## 7. Annex

Synopsis of status of SALW and conventional ammunition requests for assistance in the OSCE.

Annex to MC.GAL/6/07

### SYNOPSIS OF STATUS OF SMALL ARMS AND LIGHT WEAPONS AND CONVENTIONAL AMMUNITION PROJECTS IN THE OSCE IN 2007

#### Part A: SALW (based on the expert advice on implementation of Section V of the OSCE Document on Small Arms and Light Weapons, FSC.DEC/15/02)

On-going Projects				
Country	Project Description	Status	Timeline	Funding (in euros)
Belarus	Improvement of SALW stockpile management and security of 16 storage sites	The pilot phase of the OSCE-UNDP project is in progress. UNDP programme manager started his duties in July 2007	2006 to 2008	<b>Project: 1100461</b> Total budget: 2,900,000 Funds pledged: 1,148,540 <b>Funds required: 1,751,460</b>
Tajikistan	SALW and CA Programme, Phase II  Task III: SALW and CA stockpile physical security  Task V: SALW and CA physical security training	Phase II ongoing. Donors' visit on 6 to 13 September confirmed progress in Phase II implementation	2006 to 2008	<b>Project: 5500165</b> Task III budget: 1,205,997 Funds pledged: 835,800 <b>Task III required funds: 370,197</b>  Task V budget: 50,280 <b>Task V required funds: 50,280</b>

Completed projects				
Country	Project Description	Budget (in euros)	Timeline	Implementing agent
Tajikistan	SALW and CA Programme, Phase I  Task II: SALW destruction — national capacity building  Task III: SALW stockpile management and security	Task II: 164,000  Task III: 306,500	2005 to 2006	OSCE Centre in Dushanbe. Final report provided to the Group of Friends of Tajikistan on 14 November 2006

National Implementation		
Country	Project Description	Status
Belarus	Destruction of 300,000 SALW	Request withdrawn on 3 November 2005 (FSC.DEL/496/05). Belarus informed that the SALW in question would be destroyed with national efforts. In June 2007, Belarus held a demonstration of SALW destruction with participation of international representatives

**Part B: Stockpiles of conventional ammunition (based on the procedure outlined in the OSCE Document on Stockpiles of Conventional Ammunition, FSC.DOC/1/03)**

On-going Projects				
Country	Project Description	Status	Timeline	Funding (in euros)
Georgia	Destruction of 4,300 tons of surplus ammunition (artillery shells, guided and unguided missiles, aviation bombs, pyrotechnic ammunition and shells of various calibres)	Project implementation in progress	September to December 2007	<b>Project: 4100445</b> Total budget: 75,000 Funds pledged: 75,000 <b>Required funds: 0</b>
	Air field pollution survey at five former military airfields	Project implementation in progress	October to December 2007	Total budget : 20,000 Funds pledged: 20,000 <b>Required funds: 0</b>
Kazakhstan	Disposal of 410 tonnes of melange	Amount of melange for elimination reduced to 410 tonnes. Kazakhstan confirmed national contribution of 630,000 euros; direct contracting by MOD and ensuring proper storage and timely elimination. OSCE is to transfer funds to Kazakhstan based on implementing partner agreement and monitor implementation	2007 to 2008	Budget for Phase III "Implementation": 800,000 Funds pledged: 190,000  <b>Estimated funds required: 610,000</b>

<b>On-going Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Status</b>	<b>Timeline</b>	<b>Funding (in euros)</b>
<b>Moldova</b>	Disposal of 11,400 rounds of ammunition and upgrading security of CA and SALW stockpiles	Project implementation in process  Assessment visit on upgrading stockpiles security of SALW and CA storage sites conducted on 14 to 17 May 2007 (FSC.GAL/87/07). Awareness-raising workshop on OSCE SALW and CA commitments, 24 to 25 September 2007	June to December 2007	<b><u>Destruction project 3100031</u></b> Project budget: 113,000 Funds pledged: 160,000 <b><u>Funds required: 0</u></b>  Upgrading stockpiles security is under consideration.
<b>Montenegro</b>	Improvement of CA stockpiles storage security <sup>1</sup>	UNDP is implementing agency. Project implementation plans signed by Montenegro, OSCE and UNDP in April 2007	2007 to 2008	<b><u>Total budget: 564,000</u></b> Funds pledged: 75,000 UNDP donor contributions cover the rest <b><u>Required funds: 0</u></b>
	Destruction of 9,900 tonnes of (SALW) conventional ammunition	Disposal of heavy weapons systems in progress	2007 to 2009	<b><u>Total budget: 3,620,000</u></b> Funds pledged: 225,000 <b><u>Required funds: 3,395,000</u></b>
	Elimination of 128 tonnes of rocket fuel melange and 25 tonnes of napalm	Tender for elimination of toxic chemicals is under evaluation	2007 to 2008	<b><u>Total budget: 200,000<sup>2</sup></u></b> Funds pledged: 20,000 UNDP donor contributions cover the rest <b><u>Required funds: 0</u></b>
	Disposal of heavy weapons		2007	Funds pledged: the cost of disposal to be covered by sale of scrap metal. Funds required: 0

1 The project also partially contains improvement of SALW stockpiles security.

2 The project will be partially financed by the sale of scrap metal. For residual cost extrabudgetary contributions are sought.

<b>On-going Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Status</b>	<b>Timeline</b>	<b>Funding (in euros)</b>
<b>Tajikistan</b>	SALW and CA Programme, Phase II, regional aspects  Task I: Surplus CA disposal  Task II: Improvised explosive devices disposal — capacity building  Task IV: CA storage — MOD capacity building	Phase II ongoing  Donors' visit on 6 to 13 September confirmed progress in Phase II implementation	2006 to 2008	<b><u>Project: 5500165</u></b> Task I budget: 36,990 Funds pledged: 39,800 <b><u>Task I required funds: 0</u></b>  Task II budget: 110,250 Funds pledged: 110,250 <b><u>Task II required funds: 0</u></b>  Task IV budget: 161,637 Funds pledged: 100,000 <b><u>Task IV required funds: 61,637</u></b>
<b>Ukraine</b>	Disposal of 16,343 tonnes of melange	MoU and ToR have been signed by the Secretary General. Signature by UA side is pending. Tender for Task I. Disposal of initial 3,000t in 2007-08 is planned to be launched once MOU is signed  Phase III: Implementation is divided into individual tasks, minimum 3,000 tonnes each	2006 to 2008  2007 to 2010	Minimum funds estimated for Task I (2007 to July 2008): 2,200,000  Funds pledged Task 1: 702,436.36  <b><u>Estimated funds required Task I: 1,497,563.64</u></b>

<b>Completed Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Budget (in euros)</b>	<b>Timeline</b>	<b>Implementing agent</b>
<b>Armenia</b>	Disposal of 872 tonnes of melange	Total budget: 1,247,000	2006 to September 2007	OSCE Office in Yerevan. Final report pending.
<b>Ukraine</b>	Assistance to state programme on overcoming consequences of ammunition explosions in Novobohdanivka implementation	Total budget: 240,000	2006 to August 2007	OSCE Office Co-ordinator in Ukraine. Final report pending.
<b>Tajikistan</b>	SALW and CA Programme: Phase I  Task I: CA destruction — national capacity building  Task IV: CA stockpile management and security	Task I: 120,000  Task IV: 93,000	April 2006  December 2006	OSCE Centre in Dushanbe. Final report provided to the Group of Friends of Tajikistan on 14 November 2006

National Implementation		
Country	Project Description	Status
<b>Russian Federation</b>	Disposal of 100,000 tonnes surplus ammunition in Kaliningrad oblast	Request withdrawn on 28 March 2007 (FSC.DEL/111/07). Russian Federation will inform about national efforts in destroying ammunition in question

Requests for assistance				
Country	Request Description	Status		
<b>Azerbaijan</b>	Clean-up of melange storage sites	Phase I: Initial assessment completed in 2005	n/a	n/a
<b>Belarus</b>	Disposal of 97,000 tonnes of surplus ammunition	No activities		
<b>Kazakhstan</b>	Assistance in ammunition disposal	Initial assessment conducted in 2005. Additional information required for project development provided in October 2007	n/a	n/a
<b>Ukraine</b>	Assistance on clearing unexploded ammunition	Requested submitted in October 2007 by the Ministry of Emergency	n/a	n/a
<b>Uzbekistan</b>	Disposal of 1,500 tonnes of melange	No activities	n/a	n/a

### Part C: Donors support 2005 to 2007

SALW Projects		
Donor	Funds pledged (in euros)	Country Assisted
<b>Belgium</b>	55,000	Belarus, OSCE-UNDP Project
<b>Belgium</b>	50,000	Tajikistan, Phase II
<b>Finland</b>	100,000	Tajikistan, Phase I
<b>Finland</b>	100,000	Tajikistan, Phase II
<b>Norway</b>	30,000	Tajikistan, Phase I (SALW and CA)
<b>Norway</b>	60,000	Tajikistan, Phase II (SALW and CA)
<b>Norway</b>	Secondment of Chief Technical Adviser (both CA and SALW)	Tajikistan, Phase I, Phase II
<b>Norway</b>	323,694	Belarus, OSCE-UNDP Project
<b>Spain</b>	100,000	Belarus, OSCE-UNDP Project
<b>Spain</b>	150,000	Tajikistan, Phase II
<b>Sweden</b>	524,846	Belarus, OSCE-UNDP Project
<b>Sweden</b>	170,575	Tajikistan, Phase I
<b>Sweden</b>	300,000	Tajikistan, Phase II <sup>3</sup>
<b>United Kingdom</b>	145,000	Belarus, OSCE-UNDP

<b>SALW Projects</b>		
<b>Donor</b>	<b>Funds pledged (in euros)</b>	<b>Country Assisted</b>
		Project
<b>United States of America</b>	164,000	Tajikistan, Phase I
<b>United States of America</b>	235,800	Tajikistan, Phase II

<b>CA Projects</b>		
<b>Donor</b>	<b>Funds pledged (in euros)</b>	<b>Country Assisted</b>
<b>Andorra</b>	20,000	Tajikistan Phase II
<b>Belgium</b>	25,000	Ukraine, Novobohdanivka
<b>Czech Republic</b>	83,635	Ukraine, melange
<b>Czech republic</b>	30,000	Ukraine, Novobohdanivka
<b>Denmark</b>	150,000	Montenegro, (SALW) ammunition demilitarization (implemented by UNDP)
<b>Finland</b>	190,000	Ukraine, melange
<b>Finland</b>	266,408	Armenia, melange
<b>Finland</b>	160,000	Moldova
<b>France</b>	In kind (EOD training programme — 120,000)	Tajikistan, Phase I
<b>Germany</b>	65,000	Armenia, melange
<b>Liechtenstein</b>	20,000	Montenegro, melange (implemented by UNDP)
<b>Lithuania</b>	10,000	Ukraine, Novobohdanivka
<b>Luxembourg</b>	36,500	Ukraine, Novobohdanivka
<b>Netherlands</b>	266,812	Tajikistan, Phase I
<b>Norway</b>	110,250	Tajikistan, Phase II
<b>Poland</b>	78,800	Ukraine, Melange
<b>Poland</b>	39,400	Ukraine, Novobohdanivka
<b>Slovenia</b>	40,000	Tajikistan, Phase I
<b>Slovenia</b>	19,808	Tajikistan, Phase II
<b>Slovenia</b>	40,000	Ukraine, Novobohdanivka
<b>Spain</b>	350,000	Ukraine, melange
<b>Spain</b>	100,000	Tajikistan, Phase II
<b>Spain</b>	150,000	Kazakhstan, melange
<b>Spain</b>	75,000	Montenegro, (SALW) ammunition demilitarization (implemented by UNDP)
<b>Spain</b>	75,000	Georgia, TNT smelting
<b>Spain</b>	20,000	Georgia, air field survey
<b>Sweden</b>	40,000	Kazakhstan, melange
<b>Sweden</b>	285,714	Montenegro, MONDEM (directly to UNDP)
<b>United States of America</b>	In kind (stockpile management course)	Tajikistan, Phase I, Phase II
<b>United States of America</b>	In kind (stockpile management course)	Moldova
<b>United States of America</b>	973,454	Armenia, melange
<b>United States of America</b>	59,100	Ukraine, Novobohdanivka

**FSC CHAIRPERSON'S PROGRESS REPORT TO  
THE MINISTERIAL COUNCIL ON FURTHER IMPLEMENTATION  
OF THE OSCE DOCUMENT ON SMALL ARMS AND  
LIGHT WEAPONS**

(MC.GAL/7/07 of 14 November 2007)

## **Executive Summary**

The OSCE Document on Small Arms and Light Weapons (SALW) mandates participating States, *inter alia*, to keep under regular review the implementation of the norms, principles and measures set forth in that Document. This report is designed to provide the Ministerial Council with a comprehensive and factual progress report concerning the status of implementation of the OSCE Document on SALW for the period from December 2006 to December 2007, as well as to indicate the areas where the most urgent action is needed.

The report covers the main areas of implementation of the OSCE Document on SALW and provides a summary of information exchanges in 2007.

The implementation of the Document on SALW, which deals with requests for assistance from participating States to tackle the issues of destruction, management and security of stockpiles of SALW, remains the most essential part of the FSC's efforts in this field. The report describes the progress achieved in Belarus and Tajikistan and provides information on donors' contributions.

Information on donors' assistance shows that in 2007, approximately 670,000 euros were pledged for SALW projects, while in 2006, the total amount of financial aid amounted to more than 1,000,000 euros. The OSCE participating States donated a total of almost 2 million euros for SALW projects in 2005–2007. The financial resources needed to continue the implementation of existing projects amount to around 3 million euros for 2008–2009.

This report covers co-operation within the OSCE, highlighting the Special FSC Meeting on Combating Illicit Trafficking of Small Arms and Light Weapons by Air on 21 March 2007 as well as the initiative on reviewing implementation of commitments in SALW export control which resulted in adoption of FSC Decision No.11/07 on information exchange with regard to the OSCE Principles on the Control of Brokering in SALW. It also touches upon seminars in Bishkek and Chisinau as well as several presentations in the FSC in 2007.

The document reflects co-operation with the United Nations (UN) and other international and regional organizations, including participation in different events organized under their auspices.

Conclusions and recommendations are contained at the end of this report.



## **1. Introduction**

The OSCE Document on SALW (FSC.DOC/1/00, 24 November 2000) mandates participating States, *inter alia*, to keep under regular review the implementation of the norms, principles and measures set forth in that Document (Section VI, paragraph 2). Paragraph 31 of the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century regards the Document on SALW as an important tool for combating threats caused by terrorism and organized crime, and underlines the importance of further strengthening its implementation. In addition, in adopting the Document on SALW, the OSCE, as foreseen in paragraph 5 of the preamble, saw an opportunity to provide a substantial contribution to the process underway in the UN, in particular on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects.

## **2. Objective**

This report aims to overview the implementation of the OSCE commitments on SALW. It also describes the progress on implementation of the SALW assistance projects. The report covers the period from December 2006 until December 2007\*. For the full reference of OSCE activities on SALW see MC.GAL/5/05 and MC.GAL/4/06/Corr.2.

The report is primarily designed to serve as a basis for determining the status of implementation of the OSCE SALW commitments and assistance projects, and to highlight the most challenging issues to be addressed in the future.

## **3. Information exchange within the OSCE**

Under the OSCE Document on SALW, the participating States agreed to share and submit updated information when necessary, on national marking systems; national procedures for the control of manufacturing; national legislation and current practice in export policy, procedures and documentation, and control over brokering; small arms destruction techniques; small arms stockpile security and management programmes. In addition, the participating States committed to exchange annually data on, exports to, and imports from, other OSCE participating States, as well as small arms identified as surplus and/or seized and destroyed on their territory in the previous calendar year. Detailed information on the number of participating States that exchanged information can be found in chart I.

---

\* The deadline for submitting input for this report was 14 November 2007.

**Chart I. Overview of one-off SALW information exchanges on marking, export controls, stockpile management and destruction procedures**

Reference (paragraph)	Quotation regarding implementation measures	Status by 2007	
		Exchanged to date	Updates in 2007
Section II (D) 1 (starting from 30 June 2001)	The participating States agree to conduct an information exchange on their national marking systems used in the manufacture and/or import of small arms, as well as on national procedures for the control of the manufacture of such arms.	52 participating States	8 participating States
Section III (F) 2 (starting from 30 June 2001)	The participating States will exchange with each other available information on relevant national legislation and current practice on export policy, procedures, documentation and on control over international brokering in small arms in order to spread awareness of “best practice” in these areas.	52 participating States	9 participating States
Section IV (E) 2 (starting from 30 June 2002)	The participating States will exchange information of a general nature about their national stockpile management and security procedures. The FSC will consider developing a best practice guide designed to promote effective stockpile management and security.	49 participating States	8 participating States
Section IV (E) 3 (starting from 30 June 2001)	The participating States agree to exchange information on their techniques and procedures for the destruction of small arms. The FSC will consider developing a best practice guide of techniques and procedures for the destruction of small arms.	51 participating States	8 participating States

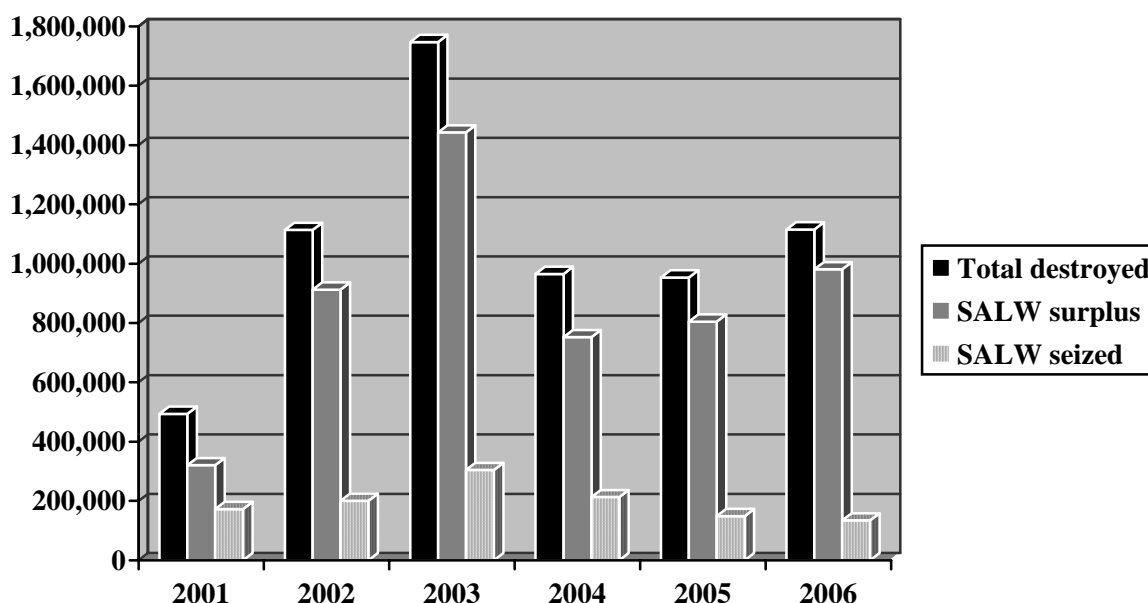
**Chart II. Overview of annual SALW information exchange on export-import, SALW surplus and/or seized and destroyed**

Reference (paragraph)	Quotation regarding implementation measures	Status by 2007	
		Exchanged to date	Updates in 2007
Section III (F) 1	The participating States agree to conduct an information exchange among themselves about their small arms exports to, and imports from, other participating States during the previous calendar year. They also agree to study ways to further improve the information exchange on transfers of small arms.	<b>2006</b>	<b>2007</b>
		46 participating States	42 participating States

Reference (paragraph)	Quotation regarding implementation measures	Status by 2007	
		Exchanged to date	Updates in 2007
Section IV (C) 1	The participating States agree that the preferred method for the disposal of small arms is destruction.	<b>2006</b>	<b>2007</b>
		42 participating States	40 participating States
Section IV (E) 1	The participating States agree to share available information on the category, sub-category and quantity of small arms that have been identified as surplus and/or seized and destroyed on their territories during the previous calendar year.	<b>2006</b>	<b>2007</b>
		42 participating States	40 participating States

According to the data exchanged, OSCE States destroyed during the period of 2001–2006 6,388,216 pieces of SALW, of which 5,213,134 were deemed as a surplus and 1,175,082 — seized from illegal possession and trafficking.

**Chart III. SALW destruction in the OSCE area\***



Participating States pursued an initiative on brokering on SALW in the efforts to further implement the OSCE Document on SALW in 2007, and particularly Section III, part D. In order to address the need of assessing the implementation of FSC Decision No. 8/04, OSCE Principles on the Control of Brokering in SALW, the Forum adopted FSC Decision No. 11/07 requesting participating States to exchange information on their present regulations concerning brokering activities until 25 January 2008 and tasking the CPC to provide a summary report of the replies.

\* It should be noted that in cases where participating States has not differentiated between surplus and seized weapons, the statistics are reflected as surplus.

#### **4. Requests for assistance submitted by participating States to the FSC pursuant to the OSCE Document on SALW**

##### **Belarus**

The OSCE and the Government of Belarus agreed that United Nations Development Programme (UNDP) be the implementing agency for the project to be implemented in 2007 and 2008 with the total budget of about 2.9 million euros. The pilot phase of the project has commenced, and it focuses on eight out of sixteen sites.

On 22 June 2007, Belarus organized a demonstration of SALW destruction. A number of representatives from other OSCE participating States and the CPC attended the event. The purpose of the visit was to demonstrate the SALW destruction process carried out by national efforts.

Following the arrival of the UNDP Project Manager in Minsk in July 2007, the procurement of three key elements of the project has commenced. The initial phase of the project is planned to be completed by July 2008. In October 2007, UNDP provided a detailed briefing to the FSC about the status of the project.

The following contributions have been officially pledged by OSCE participating States to support the OSCE-UNDP project on SALW in Belarus:

<b>Donor</b>	<b>Funds pledged (EUR)</b>
Belgium	55,000
Norway	323,694
Spain	100,000
Sweden (partially directly to UNDP)	524,846
United Kingdom	145,000
<b>TOTAL</b>	<b>1,148,540</b>

##### **Tajikistan**

In 2007, the OSCE Centre in Dushanbe continued the implementation of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan. Following the successful completion of Phase I of the Programme in November 2006, the OSCE Centre in Dushanbe started the implementation of Phase II extending the scope of action from capital throughout the country's regions, including the Tajik-Afghan border. Thus, Phase II of the Programme aims at increasing regional stability, SALW control and anti-drug-trafficking capabilities of the law-enforcement authorities throughout the territory of Tajikistan.

It is scheduled for 2006–2008 and consists of five tasks, of which Tasks III and V primarily deal with SALW physical stockpile security. The total budget for Task III is 1,206,000 euros. Fundraising efforts are underway. Task V will provide enhanced SALW and ammunition training for technicians and stockpile commanders.

In 2007, the OSCE Centre in Dushanbe regularly reported to the FSC and donors on the implementation of the project and in co-operation with the CPC organized two donors' visit to Tajikistan to evaluate the progress and achieved results. The latest briefing on the

progress in implementation of the Programme was provided to the Group of Friends of Tajikistan in November 2007.

The following contributions have been pledged by participating States to support Phases I & II:

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Phase</b>
<b>2005</b>		
Finland	100,000	Phase I
Norway	30,000	Phase I
Norway	In-kind (Secondment of Chief Technical Adviser)	Phase I (for both SALW and conventional ammunition)
Sweden	170,575	Phase I
United States of America	In-kind (Physical Security and Stockpile Management Course)	Phase I
United States of America	164,000	Phase I
<b>TOTAL for 2005</b>	<b>464,575</b>	
<b>2006</b>		
Belgium	50,000	Phase II
Finland	100,000	Phase II
Norway	In-kind (secondment of chief technical adviser)	Phase II
Norway	60,000	Phase II (for both SALW and conventional ammunition)
Sweden	100,000	Phase II
United States of America	235,800	Phase II
United States of America	In-kind (Physical Security and Stockpile Management Course)	Phase II
<b>TOTAL for 2006</b>	<b>545,800</b>	
<b>2007</b>		
Spain	100,000	Phase II
Spain	50,000	Phase II
Sweden (through UNDP)	200,000	Phase II
<b>TOTAL for 2007</b>	<b>350,000</b>	
<b>TOTAL for 2005, 2006 and 2007</b>	<b>1,360,375</b>	

## Donors

The table below indicates pledges of financial support made by delegations towards the implementation of projects on SALW received during 2005–2007.

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country assisted</b>
<b>2005</b>		
Finland	100,000	Tajikistan, Phase I
Norway	30,000	Tajikistan, Phase I
Norway	In-kind (Secondment of Chief Technical Adviser)	Tajikistan, Phase I (for both SALW and conventional ammunition)
Sweden	170,575	Tajikistan, Phase I
United States of America	In-kind (Physical Security and Stockpile Management Course)	Tajikistan, Phase I
United States of America	164,000	Tajikistan, Phase I
<b>TOTAL for 2005</b>	<b>464,575</b>	
<b>2006</b>		
Belgium	50,000	Tajikistan, Phase II
Belgium	55,000	Belarus, OSCE-UNDP Project
Finland	100,000	Tajikistan, Phase II
Norway	In-kind (secondment of chief technical adviser)	Tajikistan, Phase II
Norway	60,000	Tajikistan, Phase II (for both SALW and conventional ammunition)
Spain	100,000	Belarus, OSCE-UNDP Project
Sweden	100,000	Tajikistan, Phase II
Sweden	524,846	Belarus, OSCE-UNDP Project
United Kingdom	145,000	Belarus, OSCE-UNDP Project
United States of America	In-kind (Physical Security and Stockpile Management Course)	Tajikistan, Phase II
United States of America	235,800	Tajikistan, Phase II
<b>TOTAL for 2006</b>	<b>1,370,646</b>	
<b>2007</b>		
Norway	323,694	Belarus
Spain	150,000	Tajikistan, Phase II
Sweden (through UNDP)	200,000	Tajikistan, Phase II
<b>TOTAL for 2007</b>	<b>673,694</b>	
<b>TOTAL for 2005, 2006 and 2007</b>	<b>2,508,915</b>	

## **5. Co-operation within the OSCE**

### **1. SALW meetings, seminars and conferences organized by the OSCE in 2007**

In 2007, the Informal Group of Friends on SALW continued to assist FSC Chairmanship in the matters related to the implementation of the OSCE Document on SALW as well as SALW-related decisions adopted at the FSC. In particular, the Group focused on discussing possible further steps in the field of SALW that could be undertaken in the framework of the OSCE, including through the development of certain FSC decisions on SALW; and on the prospects for co-operation of the OSCE with relevant international organizations in SALW domain.

Pursuant to OSCE Ministerial Council Decision No. 9/06 and related FSC Decision No. 7/06, in order to support the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade on SALW in All Its Aspects, as well as to implement the OSCE Document on SALW commitments the FSC held a special FSC Meeting on Combating the Illicit Trafficking of Small Arms and Light Weapons by Air on 21 March 2007. During the meeting experts and delegates from OSCE participating States, as well as representatives of the air transportation sector and international, governmental and non-governmental organizations, explored ways to improve controls over the air-cargo sector, through enhanced national implementation of the relevant international regulations, including the control over SALW transfers through the air-transportation channels.

#### Training Workshop on Confidence- and Security-Building Measures and Implementation of FSC Documents, Bishkek, 4 to 7 September 2007

This event was a follow-up to the Seminar on SALW and CA held in Bishkek in June 2006, and the workshop was organized in co-operation with the Kyrgyz Government and supported by the OSCE Centre in Bishkek. The main goal of the training was to acquaint responsible Kyrgyz officials with the OSCE politico-military commitments and provide practical training on preparation of annual information exchanges, including the OSCE Document on SALW.

#### Workshop on Effective Stockpile Management and Security and Destruction of SALW and Conventional Ammunition, Chisinau, 24 and 25 September 2007

The workshop was a follow-up to the assessment visit by the OSCE experts in May 2007 to address the request for assistance by the government of Moldova on enhancing stockpile management and security of SALW and conventional ammunition. The purpose of the workshop was two-fold: to raise awareness of the OSCE SALW and conventional ammunition commitments and to encourage the Moldovan authorities to review the size of their holdings of SALW and ammunition.

### **2. SALW seminars to be organized by the OSCE in 2008**

At the joint FSC-PC meeting on 11 July 2007, the Director of the Conflict Prevention Centre, made a proposal to hold an FSC Workshop on Technical, Managerial and Financial Implications of Existing and Planned Projects on SALW and SCA. Having studied the

concept paper prepared by the CPC, the FSC decided to hold such a workshop on 5 and 6 February 2008 (FSC.DEC/13/07). The goal of the workshop is to, *inter alia*, review and facilitate project implementation on SALW and SCA.

### **3. Other events**

#### SALW-related presentation at the Security Dialogue of the FSC

On 30 May 2007 Mr. J. Duncan, Ambassador for Multilateral Disarmament, Permanent Representative of the United Kingdom to the UN Conference for Disarmament Presentation made a presentation on the need for a global Arms Trade Treaty.

#### Exhibition at the Ministerial Council Meeting in Brussels

On the side lines of the Ministerial Council meeting in Brussels in December 2006, the FSC Support Section prepared a photo exhibition displaying FSC assistance projects on SALW and conventional ammunition. The pictures showed different stages of projects covering both assessments and the project implementation. The exhibition showed project activities in countries in which assistance was provided and included Tajikistan, Kazakhstan, Belarus and Ukraine. The photos also documented the work performed by the OSCE in refurbishing and building storage sites in Tajikistan as part of activities undertaken by the organization in the framework of Phase I of the OSCE Comprehensive Programme on SALW and conventional ammunition in Tajikistan.

#### Information Brochure and Documentary Film

In order to raise awareness and promote FSC assistance projects on SALW and stockpiles of conventional ammunition (SCA), the FSC Support Section has published an information brochure about the projects. Also a ten-minute documentary film describing recent projects on SALW and conventional ammunition, including rocket fuel component melange, was produced in the English language. Both the brochure and the film were presented at the Ministerial Council Meeting in Brussels. Later on, a Russian version of the film was produced by the FSC Support Section and presented at the OSCE Workshop on SALW and CA in Chisinau, Moldova on 24 and 25 September 2007.

## **6. Co-operation and participation in events organized by other international and regional organizations**

### **1. NATO Euro-Atlantic Partnership Council**

On 4 May 2007, Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator on SALW Projects attended the meeting of the NATO EAPC and delivered a presentation on OSCE activities on SALW and conventional ammunition.

In 2007, the implementation of two joint OSCE-UNDP projects started. The joint Project on Capacity Building for SALW in Belarus dealt with SALW stockpile management and security. In this regard, FSC Co-ordinators on SALW and Conventional Ammunition Projects and the CPC had a number of consultations with the UNDP Bureau for Crisis



Prevention and Recovery and relevant countries officers in order to ensure smooth implementation.

The Workshop on MAN-Portable Air Defence Systems (MANPADS) And All Its Aspects was held on 12 and 13 July 2007 at NATO Headquarters. The event was co-sponsored by the Euro-Atlantic Partnership Council (EAPC) and the OSCE. A Representative of the OSCE Chairman-in-Office represented the OSCE. The workshop was aimed at raising awareness of the MANPADS threat.

## 2. Participation in other events

Since the Ministerial Council meeting in Brussels in December 2006, the representatives of the FSC Chair and the CPC continued to promote the OSCE's outreach activities by participating in events organized by other international and regional organizations. Seminars and workshops where presentations were given are listed below.

<b>OSCE/FSC participation in SALW-related events organized by other international and regional organizations</b>		
<b>Date</b>	<b>Title</b>	<b>Place</b>
<b>2006</b>		
4 and 5 December 2006	Integrating Small Arms Measures into Development Programmes	Oslo
11 and 12 December 2006	Workshop on implementing the UN Programme of Action on SALW	Geneva
<b>2007</b>		
22 and 23 February 2007	NATO/PfP Trust Fund Workshop	Washington, D.C.
8 March 2007	Special Meeting on MANPADS	Washington, D.C.
2 April 2007	Workshop "Towards an arms trade treaty"	New York
3 and 4 April 2007	Enhancing controls and promoting reductions in stockpiles of conventional arms and ammunition'	Berlin
12 and 13 April 2007	Surplus SALW and ammunition decision-making to be held in Geneva, CH, on 12 and 13 April 2007	Geneva
4 to 7 June 2007	Small Arms and Light Weapons Symposium	Madrid
15 and 16 July 2007	League of Arab States Symposium "The Road Ahead after the United Nations PoA on Small Arms and Light Weapons 2006 Review Conference: The Present and the Future"	Cairo
27 to 31 August 2007	Informal Meeting on Transfer Control Principles for SALW	Geneva

## 7. Conclusions

The OSCE Document on SALW remains an effective and useful tool in addressing the problems arising from SALW and in fostering transparency as well as confidence among the participating States. It continues to serve as an important framework for dealing with surpluses and stockpiles of SALW, with a view to reducing the risk of destabilizing accumulations and uncontrolled proliferation of them.

The implementation of the OSCE Document on SALW with regard to requests for assistance from the participating States in the field of destruction, stockpile management and security continues to be one of the most dynamic areas of implementation of the Document. The practice of regular reporting to the FSC on the status of implementation on relevant projects has proved to be an important tool for effective and efficient management of OSCE projects on SALW. The amount of financial assistance allocated for the projects, however, lessened in comparison with the previous year.

The FSC Workshop on Technical, Managerial and Financial Implications of Existing and Planned Projects on SALW and SCA, scheduled to be held on 5 and 6 February 2008, is a timely and useful event. It could allow for planning of future projects and facilitate the implementation of the on-going assistance initiatives, taking into account requirements and preferences of donors and recipients. The conclusions and recommendations of the workshop could be included in the FSC Chairpersons' progress report to the Sixteenth Meeting of the Ministerial Council in Helsinki in 2008.

The implementation rate with respect to information exchanges decreased in comparison with previous year. It is difficult to determine the reason for such decrease as well as to identify what has improved qualitatively as a result of specific measures implemented in the course of the years, and/or what kind of adjustments could be considered with regard to the various information exchanges.

The implementation of FSC decisions in the area of export controls of SALW, including MANPADS, continues to be unclear. Therefore more attention could be paid by the FSC to follow-up on the implementation of those decisions and to look into the possibilities for their improvement. A good pattern to follow could be a recently adopted FSC decision on information exchange on SALW brokering activities.

The OSCE was the first organization who touched upon the issue of illicit trafficking of SALW by air, thereby raising awareness on this significant matter. It is important to keep this issue on the OSCE's agenda and to identify how the Organization together with other relevant international players could contribute to the fight with this aspect of SALW proliferation.

At the next Biennial Meeting of States to discuss the implementation of the UN PoA scheduled for July 2008, OSCE will report about activities conducted at the regional level to complement the efforts undertaken by the UN in the field of SALW. In this respect, the OSCE focus will remain on enhancing the implementation of existing documents on SALW as well as on considering possible steps to combat illicit SALW trafficking by improving those documents. In view of the OSCE decision to conduct a one-off information exchange on brokering as well as the initiative on illicit trafficking of SALW by air, particular emphasis could be placed on ensuring effective export controls of SALW, including

brokering and end-user certificates, as well as on enhanced stockpile management procedures through efforts to improve marking, record-keeping and tracing of these weapons.

## **8. Annex\***

Synopsis of status of SALW and conventional ammunition requests for assistance in the OSCE.

---

\* Due to the above-mentioned annex being identical to that of MC.GAL/6/07, it is not attached here. Please refer to MC.GAL/6/07 for the annex.

**LETTER FROM THE CHAIRPERSON OF THE  
OPEN SKIES CONSULTATIVE COMMISSION TO THE  
MINISTER FOR FOREIGN AFFAIRS AND CO-OPERATION OF  
SPAIN, CHAIRPERSON OF THE FIFTEENTH MEETING  
OF THE MINISTERIAL COUNCIL**

(Annex 15 to MC(15) Journal No. 2 of 30 November 2007)

Your Excellency,

In my capacity as Chairperson of the Open Skies Consultative Commission (OSCC), I have the honour, on behalf of the chairmanships of the Czech Republic, Turkey and Ukraine, to inform you of the activities of the OSCC in 2007.

During the reporting period, following the Ministerial Council meeting in Brussels, the OSCC focused on current issues essential to the effective implementation of the Treaty on Open Skies, in the framework of the continuing implementation of the Treaty during the second phase of its implementation, which started on 1 January 2006.

The overall number of States Parties to the Treaty has remained at 34. In 2007, no new applications for accession to the Treaty have as yet been registered. The Chairperson encourages and welcomes accession to the Treaty by more OSCE participating States. The application of Cyprus remains pending on the agenda of the OSCC.

Since the previous reporting period, the States Parties have conducted about 119 observation flights that by and large have been judged successful and have been conducted in an atmosphere of mutual co-operation between the observing and the observed parties. In the course of these observation flights, the States Parties made wide use of such forms of co-operation as shared observation flights, in which two or more observing parties participated in an observation mission over the observed party. Furthermore, the States Parties continued the practice of conducting training observation flights on a bilateral basis.

The OSCC continues to address the issues arising in relation to the day-to-day implementation of the Treaty through the Informal Working Group on Rules and Procedures (IWGRP). In this context, the OSCC adopted a decision on Revision Four of Decision Number One to the Treaty on Open Skies — the major OSCC financial document which governs the distribution of costs arising under the Treaty on Open Skies. At the present time, the IWGRP is also continuing to discuss some other financial aspects of implementation of the Treaty, as well as the influence of hazardous airspace on observation flights.

The Informal Working Group on Sensors (IWGS) completed two very significant decisions which were adopted this year: (1) a new Infrared Decision and (2) a Certification Decision. The Infrared Decision incorporated several new cost-effective protocols which were developed and proven over a period of several years, including through several international flight test events. The Certification Decision coalesces and codifies certification procedures. Both decisions make the Treaty function more efficiently and at lower costs.

The IWGS is currently working on new procedures for modern digital camera systems. As shown at the Digital Sensor Seminar in Berlin in May 2007, commercial aerial imagery systems have evolved away from film cameras and into digital technology. Current

efforts are focused on revising Decision Number Fourteen to establish cost-effective procedures for certifying and operating commercial digital aerial camera systems for the Open Skies Treaty.

The OSCC agreed on a Chairperson's statement on the procedure for the distribution of active quotas for the year 2008. At the quota distribution meeting held on 4 and 5 October, agreement was reached on the distribution of quotas for 2008. The meeting and the procedure were regarded as very successful and in accordance with the spirit of the Treaty. The Chairperson is hopeful that this vital instrument of co-operation will continue to function effectively. The OSCC adopted a decision on distribution of active quotas for observation flights in the year 2008.

The Open Skies Treaty continues to enhance openness and transparency among the States Parties and contributes to maintaining a climate of co-operation in their territories, from Vancouver to Vladivostok. Moreover, the Treaty is making a substantial contribution to achieving the goals and objectives of the OSCE, in particular to that of promoting confidence, stability and security in Europe.

Your Excellency, you may deem it useful to reflect this information in the relevant documents of the Ministerial Council meeting.

**LETTER FROM THE HEAD OF THE  
HIGH-LEVEL PLANNING GROUP TO THE MINISTER FOR  
FOREIGN AFFAIRS AND CO-OPERATION OF SPAIN,  
CHAIRPERSON OF THE FIFTEENTH MEETING OF  
THE MINISTERIAL COUNCIL**

(MC.GAL/3/07 of 5 November 2007)

Your Excellency,

As the Head of the High-Level Planning Group (HLPG), it is my distinct pleasure and honour to inform you about the Group's activities during 2007.

As you are aware, I was appointed by the Spanish Chairmanship as Head of the OSCE HLPG, and I assumed my duties on 1 January 2007.

The HLPG's role and responsibilities are outlined in Decision II adopted by the CSCE Summit of Heads of State or Government at Budapest in 1994, in the HLPG mandate of 23 March 1995, and in addition, in the relevant directives of the OSCE CiO. According to these documents, the HLPG's main task is to prepare operational plans for a possible peacekeeping operation (PKO) in the area affected by the conflict dealt with by the Minsk Conference and to make recommendations on a peacekeeping force, command and control, logistics and allocation of units and resources, rules of engagement and arrangements with contributing States.

Prior to my appointment, because of the limitations in place at that time, some of the tasks under the HLPG's mandate were uncompleted. Accordingly, the HLPG prepared a draft CiO's directive, in compliance with the aforementioned documents, for your consideration.

The HLPG's objective for 2007 was to overcome deficiencies and limitations caused by uncertainty in the ongoing negotiation process, and to bring a progressive approach to the fulfilment of its tasks outlined in its mandate and in the relevant CiO's directives.

The Head of the Permanent Mission of Spain to the OSCE and representative of the Chairman-in-Office, Ambassador Carlos Sanchez de Boado, visited the HLPG on 18 January 2007 and was briefed on the status and the activities of the Group. As a result of this visit and discussion, and a fruitful exchange of information, the OSCE Chairman-in-Office issued the draft that had been prepared, as Directive No. 9 for the OSCE HLPG. This took place following close consultation with the Minsk Group Co-Chairmen, the Personal Representative (PR) of the CiO on the Conflict Dealt with by the OSCE Minsk Conference, the Head of the Delegation of the Republic of Armenia to the OSCE and the Head of the Permanent Mission of the Republic of Azerbaijan to the OSCE.

As mentioned previously, the HLPG's main task is to develop operational peacekeeping plans for the Nagorno Karabakh conflict, and to keep these constantly updated. The lack of information for strategic-level planning (due to the confidential status of negotiations) has prevented the HLPG from updating its existing operational plans or preparing new ones. Consequently, as a result of this deficiency, the HLPG will commence preparing operational planning based on possible scenarios.

Reconnaissance missions to the area of operations are considered to be the best way (from a military planning view point) of collecting timely information to update operational plans.

To this effect, a detailed reconnaissance plan was prepared for 2007. The current political situation has not allowed the HLPG to conduct a comprehensive reconnaissance mission to the area.

As instructed in Directive No. 9, the HLPG updated the existing augmentation concept in the light of the most recent changes in circumstances. The new augmentation concept has been forwarded to the Personal Representative (PR) of the OSCE Chairman-in-Office for consideration.

Liaison and co-ordination with the Co-Chairmen of the Minsk Group and the Personal Representative of the CiO are of great importance in ensuring that the HLPG is aware of developments in the situation regarding the conflict. In this regard, I participated in two meetings with the OSCE Chairman-in-Office and with the Co-Chairmen of the Minsk Group, in Vienna on 30 March 2007, and in Madrid on 12 May 2007. Thus, as Head of the HLPG, I had the opportunity to co-ordinate our activities and to update our information with the Co-Chairmen of the Minsk Group in relation to the ongoing negotiation process and possible roles for our Group in the future. In addition to these contacts, the HLPG co-operated with the OSCE Conflict Prevention Centre (CPC) by conducting bimonthly meetings to exchange information relevant to the current situation with regard to Nagorno-Karabakh. These bimonthly meetings and the exchanges of information that take place in them are of great benefit to our respective offices.

Participation in monitoring on the line of contact (LoC) carried out by the Personal Representative of the CiO on the Conflict Dealt with by the OSCE Minsk Conference affords the only opportunity for members of the HLPG to become familiar with the area of operations. Prior to February 2007 and after non-participation for the previous 16 months, officers of the HLPG participated on three occasions during 2007 in monitoring on the LoC. These activities have proven very useful for the HLPG's work, and have enabled it to prepare a "food-for-thought paper" regarding confidence- and security-building measures (CSBMs) for preventing future ceasefire violations on the LoC. The HLPG was tasked by the CiO's Directive No. 9 with providing its "expertise and advice". The HLPG accomplishes this task by receiving visits and conducting briefings about its area of responsibility. In this context, in 2007, the Group received visits from the following delegations:

- Deputy Chief of Staff, Operations, Irish Defence Forces;
- Chief of General Staff, Slovenian Armed Forces;
- Director, International Affairs, Planning Division (J5), Finnish Defence Command;
- Permanent Representative of Ireland to the OSCE.

On 25 June 2007, the HLPG gave a detailed briefing on the Group's activities to the military advisers of OSCE delegations.

The many courses available in institutions on peacekeeping operations afford a unique opportunity for the staff of the HLPG to keep abreast of recent and significant developments

in peacekeeping operations. For this purpose, a staff officer of the Group attended a course on the law of armed conflict at the International Institute of Humanitarian Law in San Remo, Italy, and another member of my staff attended the Engineer Officer Staff Course in Euro-NATO Training Engineer Centre (ENTEC) in Munich, Germany.

The HLPG liaised with international organizations involved in peacekeeping operations in order to exchange information and share experiences. A team of officers from the HLPG visited the South-Eastern Europe Brigade Headquarters (SEEBRIG HQ) and was briefed on SEEBRIG activities concerning peacekeeping operations, especially their recent experience with peacekeeping operations in Afghanistan. An exchange of views with regard to the planning of a peacekeeping operation proved invaluable. The co-operation between SEEBRIG and the HLPG continued with a visit by the commander of SEEBRIG and three officers of his staff to the HLPG in Vienna.

With two staff officers, I visited United Nations Headquarters, New York, between 10 and 12 July 2007. The aim of this visit was to establish relations with the UN Department of Peacekeeping Operations (DPKO) to find out how UN/DPKO plans, launches and conducts peacekeeping operations, and to obtain information on the latest developments in peacekeeping operations. During the meeting, it was agreed that the Military Division of DPKO should continue to actively liaise with the HLPG. The outcome of this visit can help the HLPG to update its operational procedures, to improve the force generation and command-control concept, and to prepare a pre-deployment training concept for the staff of Military Force HQ (MF HQ) and the troops that will participate in this peacekeeping operation.

The HLPG operations officer participated in the Thirteenth Annual Conference of the International Association of Peacekeeping Training Centres (IAPTC), which was held in Stockholm, Sweden, from 24 to 28 September 2007. This is the first time the HLPG has been represented at this Conference. As can be seen from the participants in the Conference, there is wide and varied participation by institutions that work in the area of peacekeeping operations. These personnel include military experts, police officers, civilian planners, as well as private and commercial companies. The Conference highlighted the significant improvements that have been achieved in training for peacekeeping, and enabled the HLPG to strengthen its ties with other related organizations by providing an opportunity to share in their lessons learned.

Following acceptance of an invitation by the HLPG to NATO, a representative of the Euro-Atlantic Integration and Partnership Directorate (Division of Political Affairs and Security Policy), with responsibility for Armenia and Azerbaijan, visited the HLPG on 11 October 2007. There was a fruitful exchange of information, and a general discussion on the military challenges facing the HLPG with regard to force generation, deployment and sustainment issues. As a result of the meeting, the HLPG will establish closer co-operation with NATO staff, particularly with the Joint Analysis and Lessons Learned Centre in Monsanto, Portugal, and will benefit from its expertise by participating in relevant peacekeeping operations exercises and courses.

Thanks to your support and the guidelines you have issued, the HLPG has made much progress during 2007.

Your Excellency, you may deem it useful to reflect this information in the relevant documents of the forthcoming Ministerial Council meeting.



**REPORT TO THE FIFTEENTH MEETING OF THE  
MINISTERIAL COUNCIL ON THE IMPLEMENTATION OF THE  
AGREEMENT ON SUB-REGIONAL ARMS CONTROL  
(ARTICLE IV, ANNEX 1-B, DAYTON PEACE ACCORDS)**

(MC.GAL/4/07 of 13 November 2007)

## **1. Introduction**

Many changes have taken place in the region in the past two years. Despite the fact that this report is to highlight the activities that occurred during the current year, I would like to take the opportunity to include also at least those significant events which took place in 2006 and produced substantial results in the implementation of the Agreement on Sub-Regional Arms Control, Article IV, Annex 1-B, of the Dayton Peace Accords. Before doing that, I think I need to briefly recall some facts about my mandate.

The Personal Representative of the Chairman-in-Office for Article IV promotes the fulfilment of some key aspects of the Dayton Peace Accords.

Without reverting to the basic content of the aforementioned peace settlement, under Annex 1-B, the OSCE is charged with assisting the Parties in the implementation and verification of the agreed measures on sub-regional arms control. Broadly speaking, the Personal Representative's role is to broker political consensus, ensure that the process flows smoothly, and surmount obstacles to the Agreement's implementation.

In consultation with the Parties to the Agreement, which today are Bosnia and Herzegovina, the Republic of Montenegro, the Republic of Croatia and the Republic of Serbia, the Personal Representative daily assisted the implementation specifically by:

- Co-ordinating the schedule of the mutual inspection missions;
- Co-ordinating with OSCE contributing countries to provide assistants for the inspection missions;
- Co-ordinating offers for and supporting training;
- Receiving and analysing data exchanged and notifications.

## **2. Summary of main developments**

In 2006, the Parties came together four times at the political level for ordinary and extraordinary meetings of the Subregional Consultative Commission (SRCC), which is the forum governing the Agreement. The heads of delegations were representatives from the ministries of foreign affairs, who were accompanied by representatives from the respective defence departments responsible for military policy.

They also met on 16 June 2006 in Florence at the fifth biennial Review Conference to mark the tenth anniversary of the signing of the Agreement, to take stock of the general situation and map out the way ahead.

At the experts level, they conducted two working group sessions to prepare decisions for the SRCC meetings and the Review Conference.

In 2007, the Parties met three times for ordinary Commission meetings, two times for ordinary working group sessions and three times for extraordinary working group sessions. Another working group session at the experts level is scheduled to be held before the end of the year, and then the Annual Exchange of Information will take place in December in Vienna.

All these Commission meetings and working group sessions were chaired by the Parties on a rotational basis and the decisions were taken by consensus. My office assisted the Parties substantially during all the sessions, and the Contact Group countries participated as observers in all the meetings of the SRCC at the military adviser level.

The most important developments occurred during the period from the beginning of 2006 up to 10 November 2007, the date of closure of this report, and can be summarized as follows:

**(a) Defence unification in Bosnia and Herzegovina**

In 2006, when the MoD entities in Bosnia and Herzegovina transferred their rights, obligations and responsibilities to the State level of Bosnia and Herzegovina, the Parties agreed on significant legally binding amendments for the further implementation of the Agreement.

In 2003, the BiH defence reform was initiated in order to hand over the responsibilities from the entities Republica Srpska and Federation of BiH to the State level. The new law entered into force on 28 December 2005, with the most important effect starting from 1 January 2006, when:

- Entity MoDs and commands were taken over by BiH at the State level;
- A new single defence budget was established;
- The complete reorganization of the armed forces started.

The Law on Defence in Bosnia and Herzegovina foresees a two-year transition period, ending on 31 December 2007, even if, according to the current state of affairs, there could be the possibility of some delays in the definition of the new armed forces structure.

As a consequence, with the entry into force of the new Law, the Article IV Agreement had to be updated. Then, with the assistance of my office and with the constant support of the Contact Group countries, on 10 March 2006, during the 34th SRCC meeting in Zagreb, the Parties approved and signed, at governmental level, six legally binding amendments to the Florence Agreement on Sub-regional Arms Control.

Subsequently, in April 2007, implementation of the new State-level conditions resulted in the establishment of the Verification Agency at the State level, which replaced the previous two verification centres of the entities. Currently, this new organism is operating but it is not yet completely staffed and technically equipped as foreseen. The BiH defence authorities firmly intend to have it fully operational for all confidence-building measures and

arms control matters as soon as possible. In the meantime, the OSCE Mission to Bosnia and Herzegovina in Sarajevo, and specifically its Department for Security Co-operation, is supporting the BIH Verification Centre in all tasks related to arms control matters.

**(b) Independence and integration of the Republic of Montenegro**

The Republic of Montenegro became an independent Party to the Agreement as of 16 January 2007.

On 6 July 2007, in Podgorica, the Governments of the Republic of Montenegro and of the Republic of Serbia signed a bilateral Agreement on the Principles and Procedures for the Implementation of the Agreement on Sub-Regional Arms Control.

In October 2007, the Parties welcomed the timely conclusion of the negotiations between the Republic of Montenegro and the Republic of Serbia and decided that a formal amendment to the Agreement reflecting the division of the Article IV entitlements between the two aforementioned Parties needed to be prepared. The office of the Personal Representative drafted the document, which has been distributed to the Parties for their consideration, with a view to the subsequent signature at government level and respective internal ratification processes.

The bilateral Agreement on the Principles and Procedures for the Implementation of the Agreement on Sub-Regional Arms Control was negotiated with the assistance of my office. After its signature, it was distributed through my office to the Chairman-in-Office of the OSCE, the Contact Group countries and the other Parties.

The Republic of Serbia, as the continuing State of the former State Union of Serbia and Montenegro, and the Republic of Montenegro, as successor with reference to its part of the territory within the area of application, have agreed in particular that the numerical limitations of the former Federal Republic of Yugoslavia/State Union of Serbia and Montenegro shall be divided between the two Republics. The total of numerical limitations for the two contracting Parties shall not exceed the total limitations as set forth in Article IV of the Agreement for the Federal Republic of Yugoslavia.

Both contracting States expressed their commitment to further consistent implementation of the Agreement on Sub-Regional Arms Control and to improvement of arms control measures aimed at transparency and confidence-building.

The Sub-Regional Consultative Commission (SRCC), at its meeting held on 25 and 26 October 2007, took the decision required in order to reflect the new entitlements contained in the bilateral agreement in the multilateral context of the Article IV Agreement. In particular, it was decided that a formal amendment to the Agreement should be signed by the four Parties at government level.

After that, the new ceilings will be officially in force. The formal amendment will be legally binding and the territorial scope of the Article IV Agreement, its object and purpose and the changes in the situation resulting from the separation were the elements which had to be taken into account by the successor States and by all the Parties, based on the Vienna Convention on Succession of States in respect of Treaties.

Until the formal amendment enters into force, the Republic of Serbia and the Republic of Montenegro have agreed to comply with the limitations contained in the bilateral Agreement. During the interim period, they have also agreed to take the measures necessary to ensure that the purposes of the Article IV Agreement are satisfied.

— First inspection in the Republic of Montenegro

The first training inspection on the territory of the Republic of Montenegro, as the fourth acting Party to the Article IV Agreement, took place on the first anniversary of the country's independence day, 21 May 2007.

A multinational inspection team led by BiH, supported in addition by one inspector from Serbia and one from Croatia and accompanied by two OSCE assistants, conducted an Article IV inspection. After the standard procedure at the point of entry, the Montenegrin escort team participated in a comprehensive training session on various aspects and protocols of the Agreement provided by members of the inspecting Parties as well as the OSCE assistants.

On the following day, the verification regime was implemented at the military site in Podgorica, with the result that the Montenegrin escort team made a strong effort to provide the requested data and information regarding the site. This was followed by the practical inspection, which was completed successfully.

**(c) Implementation of the 2007 inspection regime**

The inspection was conducted as prepared by the office of the Personal Representative and as agreed by the Parties. Once more, the activities were conducted without problems in an environment of trust, openness and transparency.

The implementation of the Article IV Agreement of the Dayton Peace Accords is working very well. It relies on two pillars, the exchange of information and notifications and the verification regime. In 2007, the Parties accepted an inspection plan comprising 20 inspections. Up to 10 November 2007, 16 on-site inspections had been conducted by the Parties, each supported by OSCE assistants. Neither significant nor major problems occurred during the inspection missions. All acting Parties to the Agreement demonstrated their willingness to fulfil their obligations in openness and transparency and carried out the inspections in a truly professional manner, in full compliance with the spirit of the Agreement.

During the reporting period, all the Parties to the Agreement were involved in an ongoing process of restructuring and reorganization of their Armed Forces. Consequently, armaments limited by the Agreement (ALA) continued to be voluntarily reduced by destruction, even after the end of the reduction period.

In particular, in 2007:

- Bosnia and Herzegovina destroyed 35 items of heavy artillery systems;
- Serbia destroyed five battle tanks and one armoured combat vehicle;

- Montenegro destroyed all the notified 61 battle tanks. This is the result of the common engagement of UNDP, the OSCE and the Government of Montenegro within the so-called MONDEM Project.

Further reductions by all the Parties are expected in the future.

It is important to report that, since the implementation of the Agreement, in total, including the 2007 reductions, the Parties have reduced nearly 8,900 items of heavy weaponry.

**(d) OSCE Communications Network, integrated notification application (INA)**

The Parties agreed to develop and accept a joint statement by which the use of the OSCE INA communication network was accepted for the Article IV exchange of information and notifications.

In order to harmonize the exchange of information, documents and notifications, using the English language, the Parties agreed to adopt common software provided by the OSCE. This issue is close to finalization, with integration of the Parties to Article IV into the existing OSCE Network, to which they are, among other things, also linked for purposes of reporting in respect of the Vienna Document 1999 and the Open Skies Treaty.

**(e) Update of the Article IV Agreement**

An updated version of the Agreement on Sub-Regional Arms Control under the chairmanship of the Republic of Serbia is being prepared and may be finalized during the Review Conference in 2008.

This topic was first discussed at the 37th SRCC meeting in Opatija in March 2007. The Parties agreed on holding extraordinary meetings of the SRCC permanent working group under the chairmanship of the Republic of Serbia to update the Agreement on Sub-Regional Arms Control.

So far, the working group has met three times, in May, June and July 2007. The experts evaluated and verified all the decisions taken since the beginning of implementation in 1996 for accuracy, correctness and legal validity, taking into account the languages of the Parties and the English language.

My office took a leading role in compiling all the former SRCC decisions since 1996. The aim is for the experts to devise a working copy of the Agreement with the legally binding formal amendments and with all other relevant politically binding decisions and bring them together in an editorial round-up to update the Agreement.

This has been an intensive and challenging project under the chairmanship of the Republic of Serbia, and some more time will be needed to complete it. We assume that the process will be finalized and consolidated in time for the sixth Conference to Review the Agreement, planned to take place in June 2008.

### 3. Conclusions

All the aforementioned results demonstrate, once again, the progress achieved and the common understanding of the now four acting Parties (Bosnia and Herzegovina, Republic of Croatia, Republic of Montenegro, and Republic of Serbia), with special regard to the political will to fulfil their obligations.

From the political strategy point of view, one of the most important aspects of the Agreement on Sub-Regional Arms Control, as part of the Dayton Peace Accords, is that, in promoting stability and assisting the development of friendly and co-operative relations among Parties, it continues to represent a fundamental contribution towards building a bridge between the countries of the region and the Euro-Atlantic institutions. Today, also thanks to the ongoing successful implementation of Article IV, all the four Parties to the Agreement are officially part of NATO's Partnership for Peace programme. Moreover, it helps them on the way toward their accession to the EU.

For all these reasons, the Contact Group countries have recommended to me that it is essential that assistance to the Parties, which contributes to the stability of the entire subregion, should continue. The Article IV Agreement should be considered by the Parties as a model for co-operation in the subregion in other sectors where situations are not developing in the same spirit. This is the moment to exploit its success in order hopefully to improve the regional situation in other fields as well. Then, in the light of further positive developments in the region, more ownership for implementation could be transferred to the Parties themselves, taking into account the responsibilities of the international community and the OSCE.

The last two years have been a successful period with respect to the results that have been achieved in the implementation of the Agreement. This is evidenced not only by the good job done by the staff of the Personal Representative's office, but also by the synergistic support provided by the OSCE delegations, and particularly the 26 delegations sending assistants that are so actively engaged in the Article IV inspection regime,.

In particular, I would like to mention:

- The continuous support coming from the OSCE Mission to Bosnia and Herzegovina in Sarajevo, specifically its Department of Security Co-operation;
- The OSCE Mission to Montenegro in Podgorica, which actively supported me and my staff in establishing a good rapport with the Montenegrin authorities;
- The six countries of the Contact Group: France, Germany, Italy, the Russian Federation, the United Kingdom and the United States of America, which continue to provide valuable support and guidance, and which made my job much easier;
- The rotating OSCE Chairmanships, which continued placing their confidence in the Personal Representative as a strong supporter of the stability process in the subregion.

#### **4. The way ahead**

The Agreement on Sub-regional Arms Control has been tailored on the model of the CFE Treaty.

The international community is working on the new arms control agreement, the Adapted CFE Treaty, which foresees the participation of the States Parties as individual countries, and no longer as countries belonging to confronting blocks.

It is more than rational and reasonable that, once the Adapted CFE Treaty has been accepted and ratified by the 30 States Parties, the Parties to the Article IV Agreement will most likely join the new agreement in a way to be defined according to the new requirements and whenever the political situation permits.