



Organization for Security and Co-operation in Europe

STOCKHOLM

2021

**Twenty-Eighth Meeting of the
Ministerial Council
2 and 3 December 2021**

Statements and declarations by the Ministerial Council

Decisions of the Ministerial Council

Statements by the Chairperson and delegations

Reports to the Ministerial Council

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

**MINISTERIAL STATEMENT ON THE
NEGOTIATIONS ON THE TRANSNISTRIAN SETTLEMENT
PROCESS IN THE “5+2” FORMAT**

(MC.DOC/1/21 of 3 December 2021)

The Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe:

1. Recall the past ministerial statements on the work of the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdniestrian Settlement in the “5+2” format;
2. Reiterate their strong resolve to attain a comprehensive, peaceful and sustainable settlement of the Transdniestrian conflict based on the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders with a special status for Transdniestria that fully guarantees the human, political, economic and social rights of its population;
3. Underline the need to continue the result-oriented settlement process reaffirmed by the Hamburg, Vienna, Milan, Bratislava and Tirana ministerial statements and call upon the Sides to engage accordingly in the negotiation process in 2022 when Poland will be chairing the OSCE;
4. Urge the Sides to further consolidate the achievements reached since the Vienna Ministerial meeting on priority issues and to work towards the full and continuous implementation of all agreements expressed in the protocols of the “5+2” meetings in Rome 2018, Vienna 2017 and Berlin 2016 thus contributing to building a solid basis for further advancing the settlement process;
5. Underline the need for further accelerated implementation of the provisions of the Protocol Decision of 24 April 2018 “On the participation of vehicles from Transdniestria that do not carry out commercial activities in the international road traffic”, as well as for active work on other issues related to transport, in observance of the Vienna Convention on Road Traffic of 1968;
6. Encourage the Sides to develop joint proposals on further confidence-building measures, based on the progress achieved in the implementation of the “Berlin-plus package”, and to intensify their dialogue on and efforts with regard to the protection of human rights and fundamental freedoms, in view of continuing relevant serious concerns, including in individual cases and in areas directly affecting the daily lives of the local population;
7. Applaud the interaction between the Sides in the fight against the COVID-19 pandemic, including with regard to the provision of 263,000 doses of vaccines and other assistance to Transdniestria, and encourage them to continue on this path and to intensify their interaction on other humanitarian issues for the benefit of the inhabitants on both banks of the Dniester/Nistru River;

8. Note the increasing number of meetings and Working Groups between the Sides in 2021. Call upon them to continue to work at all levels of the negotiation process in a rhythmical manner to achieve tangible progress on all three baskets of the agreed agenda for the negotiation process: socio-economic issues, general legal and humanitarian issues and human rights, and a comprehensive settlement, including institutional, political and security issues, in accordance with the internationally agreed principles as referred to in paragraph 2;
9. Underline the importance of the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdniestrian Settlement in the “5+2” format as the only mechanism to achieve a comprehensive and sustainable settlement, reaffirm the important role the OSCE plays in supporting this process; note with concern that the last meeting of the Permanent Conference took place in 2019 and welcome in this regard the commitment of all concerned to hold a result-oriented meeting in this format as soon as possible;
10. Applaud the unified and active approach by the mediators and observers of the OSCE, the Russian Federation, Ukraine, the European Union and the United States of America in the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdniestrian Settlement in the “5+2” format and encourage them to continue to co-ordinate their efforts and to make full use of their collective potential to promote progress in all dimensions towards achieving a comprehensive resolution of the Transdniestrian conflict.

II. DECISIONS OF THE MINISTERIAL COUNCIL

DECISION No. 1/21
2021 ANNUAL SECURITY REVIEW CONFERENCE (ASRC)
(MC.DEC/1/21 of 18 August 2021)

The Ministerial Council,

Recalling Porto Ministerial Council Decision No. 3 on the Annual Security Review Conference,

Affirming the necessity to hold the 2021 Annual Security Review Conference,

Noting that consensus could not be reached on holding the 2021 Annual Security Review Conference before the summer recess,

Taking into account the recommendation of the Forum for Security Co-operation as contained in document FSC.DEL/292/21/Rev.1 as of 28 July 2021,

Taking into consideration the recommendation of the Permanent Council,

Decides that the 2021 Annual Security Review Conference will be held after the OSCE summer recess.

DECISION No. 2/21
OSCE CHAIRMANSHIP IN THE YEAR 2025
(MC.DEC/2/21 of 30 November 2021)

The Ministerial Council,

Decides that Finland will exercise the function of the OSCE Chairmanship in the year 2025.

Attachment to MC.DEC/2/21

**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 Russian Federation:

“In joining the consensus regarding the OSCE Ministerial Council decision on Finland’s Chairmanship of the OSCE in the year 2025, it is our understanding that Finland will adhere closely to all the provisions of the 2002 Porto Ministerial Council Decision No. 8 on the role of the OSCE Chairmanship-in-Office, ensuring that it does not deviate in its actions from the positions agreed by all the participating States.

Public statements issued by the OSCE Chairmanship-in-Office on behalf of the Organization should be in line with OSCE Permanent Council Decision No. 485 of 28 June 2002.

In its work, the Chairmanship-in-Office should take into account the whole spectrum of opinions of participating States.

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

DECISION No. 3/21
STRENGTHENING CO-OPERATION TO ADDRESS THE
CHALLENGES CAUSED BY CLIMATE CHANGE

(MC.DEC/3/21 of 3 December 2021)

The Ministerial Council,

Taking account of the increasing challenges of climate change for the economy and environment in the OSCE area, recalling the importance of co-operation in the OSCE's Economic and Environmental Dimension, bearing in mind the OSCE's comprehensive concept of security, and reaffirming the relevant commitments contained in the 1975 Helsinki Final Act, the 2003 OSCE Strategy Document for the Economic and Environmental Dimension, the 2007 Madrid Declaration on Environment and Security, the 2013 Ministerial Council Decision on Improving the Environmental Footprint of Energy-Related Activities in the OSCE region, and the 2014 Ministerial Council Decision on Enhancing Disaster Risk Reduction,

Acknowledging that climate change is a global challenge to achieving the objectives of the UN 2030 Agenda for Sustainable Development and its Sustainable Development Goals, and that addressing this challenge requires the widest possible international co-operation, as well as at the regional level,

Recognizing that the United Nations Framework Convention on Climate Change and the Paris Agreement are the primary international and intergovernmental mechanisms and fora for negotiating, developing and strengthening the global response to climate change,

Taking note of the reports of the Intergovernmental Panel on Climate Change, which underline the many unprecedented and irreversible changes that have occurred in the climate system in all regions of the world, and emphasizing the need for effective climate action to reduce the risks and negative consequences of climate change,

Reaffirming that the OSCE, as a regional arrangement under Chapter VIII of the Charter of the United Nations, has a complementary role to play, within its mandate, in addressing the challenge of climate change within the OSCE area, notably by facilitating collective and co-operative responses,

Emphasizing that the effects of climate change can exacerbate economic challenges and environmental degradation, which may negatively affect prosperity, stability and security in the OSCE area,

Acknowledging the importance of environmental restoration as one tool for climate change mitigation and adaptation, and underlining the contribution of the improvement of degraded forests, as well as the importance of sustainable management and restoration of forests,

Recognizing the importance of participating States integrating climate considerations into relevant national or domestic strategy, planning, documents and processes, in order to mitigate and build resilience against the impacts of climate change,

Convinced that effective co-operation by the OSCE participating States on an equitable, mutually beneficial, and non-discriminatory basis, taking into account different national circumstances and capabilities in addressing the challenges caused by climate change and the promotion of early warning, can be useful in building mutual confidence and promoting good neighbourly relations and thereby contribute to stability, resilience, and prosperity in the OSCE area,

Being aware that the use of renewable energy sources, low-carbon and clean energy technologies and energy efficiency measures contribute to the adaptation to and mitigation of climate change,

Acknowledging that the adaptation to, and mitigation of, the impacts of climate change are important to achieve sustainable economic growth, and underlining the need to advance co-operation through joint research and investments, and the development and integration of new technologies in the field of climate change mitigation and adaptation, including clean energy and low greenhouse gas emissions technologies,

Emphasizing the importance of the effective involvement of women in decision-making processes in the field of climate change, and the full, equal and meaningful participation of women, and also of girls where appropriate, in related programmes and activities, and mindful of reporting indicating that women and girls are overrepresented among those groups with less resilience to the adverse impacts of climate change and taking into account their needs in this regard,

Acknowledging the importance of educating, training and raising awareness among children and youth in the fields of environmental protection and climate change,

Affirming the importance of co-operation with relevant regional and international organizations in addressing the impacts of climate change, where appropriate,

Taking note of the OSCE Parliamentary Assembly's debates on the security implications of climate change, and being mindful of the role of parliamentarians in shaping relevant national legislation and supporting the implementation of climate-related commitments,

1. Encourages the participating States to identify, raise awareness of, mitigate and adapt to climate-related challenges and to intensify their dialogue and co-operation in this regard with a view to minimizing the economic, social and environmental impacts of climate change;
2. Encourages participating States to integrate climate considerations into national or domestic strategy, planning, documents and processes, in order to mitigate and build resilience against the impacts of climate change;
3. Calls upon the participating States to give due consideration to potential synergies between prevention, mitigation of, and adaptation to the possible negative impacts of climate change, including through the development and utilization of early-warning mechanisms;
4. Encourages the participating States to make use of the OSCE as an additional platform for facilitating the exchange of information and best practices, notably in relation to

the adaptation to, and mitigation of, climate change, the development of relevant technologies and innovation;

5. Encourages the participating States to co-operate, where appropriate, to build greater resilience to climate change and to take relevant mitigation and adaptation measures, including, *inter alia*, through joint research and investment, climate-related analysis, disaster risk reduction and management, and the increased use of clean and renewable energy sources;
6. Encourages participating States to address the short- and long-term impacts of environmental degradation, as well as its restoration;
7. Encourages the participating States to adopt an approach to COVID-19 recovery that takes climate change into account;
8. Calls upon the participating States to promote the effective participation of women in decision-making processes on climate change prevention, mitigation and adaptation, and also of girls where appropriate, in related programmes and activities;
9. Encourages the participating States to pursue a multi-stakeholder approach to tackling climate change by actively engaging the private sector, academia, civil society and all other relevant stakeholders, including women's and youth organizations;
10. Tasks the relevant OSCE executive structures, in particular the Office of the Co-ordinator of OSCE Economic and Environmental Activities and the OSCE field operations within their mandates and available resources, with assisting participating States upon their request in implementing the provisions of this decision, in co-operation with other relevant regional and international organizations, where appropriate;
11. Encourages the OSCE Partners for Co-operation to voluntarily implement the provisions of this decision.

Attachment to MC.DEC/3/21

**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 Canada:

“Madam Chairperson,

In connection with the adoption of this decision on strengthening co-operation to address the challenges caused by climate change, Canada would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure:

We have joined consensus on this decision due to the serious importance we attach to addressing the challenges caused by climate change, and their link to our comprehensive security. We are disappointed, however, by the weak language concerning the disproportionate impact of climate change on women. This impact is undeniable and has been reaffirmed both through United Nations bodies and most recently at the 26th Conference of the Parties to the United Nations Framework Convention on Climate Change. Canada underscores the necessity of taking a gender-responsive approach to addressing the risks climate change poses to women, as well as to marginalized groups and people in vulnerable situations.

Canada requests that this statement be attached to the decision and reflected in the journal of the day. Thank you.”

DECISION No. 4/21
TIME AND PLACE OF THE NEXT MEETING OF THE OSCE
MINISTERIAL COUNCIL
(MC.DEC/4/21 of 3 December 2021)

The Ministerial Council,

Decides that the Twenty-Ninth Meeting of the OSCE Ministerial Council will be held in Łódź on 1 and 2 December 2022.

**III. STATEMENTS BY THE CHAIRPERSON
AND DELEGATIONS**

**STATEMENT BY
THE CHAIRPERSON (ALSO ON BEHALF OF ALBANIA,
POLAND AND NORTH MACEDONIA)**

(Annex 13 to MC(28) Journal of 2 and 3 December 2021)

We, the Ministers for Foreign Affairs of Albania, Sweden, Poland, and North Macedonia, as the previous, current, incoming, and future Chairpersons-in-Office of the Organization for Security and Co-operation in Europe (OSCE), reaffirm our strong commitment to the European security order as enshrined in the Helsinki Final Act and the Charter of Paris for a New Europe, including sovereign equality, refraining from the threat or use of force, respect for territorial integrity, and the freedom of States to choose their own security arrangements, as well as respect for human rights and fundamental freedoms. Respect for these principles and commitments must be restored.

In 1975, the Helsinki Final Act set forth the basic principles guiding State relations, underpinned by the Charter of the United Nations and international law, to build peace, security, justice, and co-operation in Europe. Since then, we have succeeded in deepening and strengthening our commitments through multiple decisions and declarations, with the Charter of Paris for a New Europe and subsequent documents. The OSCE *acquis* reflects the OSCE comprehensive security concept, in which the political and military, economic and environmental, and human dimensions of security are addressed as an integral whole. This concept is indispensable and key to building and maintaining peace and security in our area.

We express grave concern about the ongoing crises and conflicts in the OSCE area. They constitute the most serious challenges to our common security and have often resulted from flagrant violations of our principles and commitments. There is an urgent need for peaceful and sustainable conflict resolution, in line with international law and OSCE principles and commitments, and for accountability for violations and abuses. We underline that international humanitarian law must be respected.

The conflict with respect to Ukraine remains the most blatant example of violations of our commonly agreed principles and of international law and the most serious challenge to security and stability in Europe. It is unacceptable that armed violence in eastern Ukraine continues to cause casualties and human suffering. The restrictions imposed on hundreds of thousands of civilians prevent their access to basic services and limit prospects for future integration. We are deeply concerned about the ongoing tensions in the region, and the lack of progress towards a sustainable political solution to the conflict in line with OSCE principles and commitments and with full respect of the sovereignty, territorial integrity, unity, and independence of Ukraine within its internationally recognized borders. We continue to support the ongoing, active efforts undertaken in the Normandy format and the Trilateral Contact Group towards the full implementation of the Minsk agreements, and commend the valuable engagement of the Special Monitoring Mission to Ukraine, which should be provided with unrestricted and unconditional access to ensure its impartial monitoring and reporting of the security situation.

We similarly reiterate our support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. We underline our concern about the continuing deterioration of the human rights situation in the Georgian regions of Abkhazia and South Ossetia. Our support for the Geneva International Discussions is unwavering, and

we are grateful to its participants for ensuring that discussions continue in a regular and constructive manner. The OSCE is committed to continuing its leadership of this format, together with the European Union and the United Nations. It is important the Geneva International Discussions make progress on core issues of non-use of violence and international security arrangements, as well as the return of internally displaced persons and refugees, as mandated by the six-point ceasefire agreement of 2008. We call for the commitments made in that agreement to be implemented immediately and in full.

We remain concerned with outstanding issues related to or resulting from the Nagorno-Karabakh conflict. Although over one year has passed since the end of widespread military hostilities, the ceasefire remains fragile. We are convinced of the need for additional de-escalatory measures and a substantive and sustained negotiation process. There is an urgent need to make progress on humanitarian issues – including, *inter alia*, detainees, demining, missing persons, the voluntary return of displaced persons, and the protection of historic and cultural sites – as well as to allow unrestricted access for international humanitarian organizations. To this end, we express our full support for the efforts made under the auspices of the Co-Chairs of the OSCE Minsk Group and the Personal Representative of the Chairperson-in-Office. Substantive negotiations and confidence-building must be continued in good faith in order to reach a comprehensive, peaceful, and lasting settlement.

We are convinced also of the merits of regional co-operation between Armenia, Azerbaijan, and Georgia. Beyond the need to alleviate tension and ensure peace in the region, co-operation between the three countries will enhance economic prosperity and development in the South Caucasus. We are committed to supporting this vision in order to enable the three countries to identify and address issues of common interest.

The OSCE continues to facilitate the Transdniestrian settlement process, which is of central importance for regional security. We welcome the OSCE Ministerial Statement on the Negotiations on the Transdniestrian Settlement Process in the “5+2” Format and underline the need to continue the result-oriented settlement process in 2022. We encourage further confidence-building measures that would improve the lives of people living on both banks of the Dniester/Nistru River. We reiterate our strong resolve to attain a comprehensive, peaceful and sustainable settlement of the Transdniestrian conflict based on the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders with a special status for Transdniestria that fully guarantees the human, political, economic and social rights of its population.

We remain deeply concerned about developments in Belarus affecting regional security and stability and causing severe human consequences, including the recent instrumentalization of migrants and refugees. We are also deeply worried about continued reports of grave human rights violations, including against journalists and other media actors, as well as the continued crackdown on civil society and persons belonging to national minorities. We repeat our call for the immediate and unconditional release of all those arbitrarily detained, and for a complete and transparent investigation into all allegations of human rights violations, including excessive use of force against peaceful protestors and dissenting voices and widespread detentions and arbitrary arrests, and to hold those responsible accountable. We reiterate the need for an inclusive, open, and constructive national dialogue. We regret that the offer by the previous and current Chairpersons-in-Office to support and facilitate communication and co-operation in Belarus was not yet accepted.

We welcome that the Moscow and Vienna mechanisms have been activated with regard to the fraudulent presidential elections in 2020 and developments thereafter and urge all participating States to respect and use the tools of this Organization. We call on Belarus to fully implement OSCE commitments and principles, and international human rights law. The OSCE stands ready to support Belarus in this regard.

We commemorate the 10th anniversary of the Vilnius decision on elements of the conflict cycle and welcome efforts to further strengthen the OSCE's capabilities in addressing the conflict cycle. We reaffirm the obligation of the participating States to settle disputes among them by peaceful means in such a manner as not to endanger international peace and security, and justice. In this regard, we encourage participating States to utilize the OSCE Court of Conciliation and Arbitration to settle their disputes peacefully.

We recall that human rights and fundamental freedoms, democracy, and the rule of law are at the core of the comprehensive concept of security. They are prerequisites for peace and inextricably linked to security between States. We regret the continued democratic backsliding, violations of human rights, and the erosion of the rule of law, which have been further exacerbated by the COVID-19 pandemic. We reaffirm categorically and irrevocably that the commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned. We deeply regret that we could not reach consensus on holding this year's Human Dimension Implementation Meeting despite long and intensive negotiations. We underline that this is without prejudice for coming years. We call on all participating States to fully comply with OSCE principles and commitments and international human rights law.

We emphasize the crucial role of civil society, including human rights defenders, and free, independent, and pluralistic media for our comprehensive security. Civil society and independent media are essential to a free and open society and accountable systems of government and are of particular importance in safeguarding human rights and fundamental freedoms, democracy, including genuinely democratic and pluralistic elections, and the rule of law. This role is indispensable and has been recognized and affirmed on several occasions.

Conventional arms control and confidence- and security-building measures (CSBMs) remain vital for our common security. The effectiveness of arms control and CSBMs is reliant on political will. We call on all OSCE participating States to fully adhere to their arms control commitments and obligations. We underline the need for CSBMs to reduce military risks and increase military stability, predictability, mutual trust, and transparency. We stress the need to fully implement the Vienna Document and to commit to its modernization. The Treaty on Open Skies also remains an important functioning CSBM. We underline the importance of the Forum for Security Co-operation as a decision-making body and reaffirm the value of the Structured Dialogue as a transparent, inclusive process owned and driven by participating States, and without a predetermined outcome; the Structured Dialogue shall explore how the negative developments concerning the conventional arms control and CSBM architecture in Europe can be reversed in order to create an environment conducive to reinvigorating conventional arms control and CSBMs in Europe.

Transnational threats and challenges to security and stability are growing in complexity. We recognize the continued importance of co-operation and dialogue between the OSCE executive structures, OSCE participating States, civil society, and the private

sector to prevent and counter transnational threats, such as organized crime in all its forms and manifestations, through an inclusive and gender-responsive approach. We reaffirm that all measures taken must be in full respect of OSCE commitments and principles and international law, including international human rights law.

Economic and environmental co-operation remains a key component to strengthening security, peace, and prosperity in the OSCE area. Women's economic empowerment and gender equality are essential to security, stability, and sustainable development in the OSCE area. We acknowledge the need to effectively address climate-related security risks and reaffirm the OSCE's role in preventing and countering environmental security challenges, including those related to climate change and environmental degradation. In addition, corruption remains a systematic hindrance to economic growth, sustainable development, and democratic processes and we reaffirm our commitments to combat it and to strengthen good governance.

We recall the important role that youth play in contributing to the promotion of democracy, human rights and fundamental freedoms, and the rule of law, and encourage all participating States to promote the role of youth in decision-making, leadership and democratic institutions.

We recognize that in order to advance the comprehensive concept of security it is of fundamental importance to ensure the full, equal and meaningful participation of women in all spheres of society, and throughout the conflict cycle, including in humanitarian response efforts. The women, peace and security agenda is a corner stone in achieving comprehensive and sustainable peace and security in the OSCE area and we remain committed to the full and effective implementation of the United Nations Security Council resolution 1325 and its subsequent resolutions. Gender-equal societies, where human rights are fully enjoyed by all, are more secure with better prospects for development and thus we stress the need to implement our OSCE commitments to promote gender equality and gender mainstreaming across all OSCE activities.

We value the contribution of all OSCE executive structures to strengthen comprehensive security across the region. The OSCE's autonomous institutions are at the core of the OSCE's work. The Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, and the Representative on Freedom of the Media are all vital in assisting participating States to uphold and implement OSCE commitments and principles. The OSCE's unique field operations are crucial contributors to peace and security. We underline the important role of the special and personal representatives of the Chairperson-in-Office and thank them for their valuable support and contributions to comprehensive security. Moreover, we appreciate the work of the OSCE Parliamentary Assembly in advancing comprehensive security, and we value the continued co-operation between the OSCE, the United Nations, the Council of Europe, the European Union, and all relevant stakeholders in fostering peace and security in our area.

We acknowledge that peace and security in the OSCE area is linked to that of our adjacent regions. In this context, we express deep concern about recent developments in Afghanistan and stand ready to support the OSCE in addressing the consequences that these have on our region. We appreciate the rich exchange and good relations with our Asian and Mediterranean Partners of Co-operation.

We regret that the OSCE is not realizing its full potential and recognize the need to improve the effectiveness and efficiency of the Organization. We therefore regret that the “omnibus decisions” on the dates and venues of the OSCE’s flagship conferences and meetings, and on the Unified Budget cycle, which would have allowed the Organization to focus on its core tasks and assist participating States in upholding our commitments, were not adopted by the Ministerial Council. We look forward to continued discussions on these important issues.

2025 will mark the 50th anniversary of the Helsinki Final Act. As we approach this milestone, we call on all participating States to put into practice the OSCE principles and commitments we freely adopted. The European security order and the OSCE *acquis* provide the basis for building peace, democracy, security, and stability in our region. It is up to us, the participating States, to go back to basics, and to demonstrate by our actions that we are resolved to strengthen our common security.

**STATEMENT BY
THE CHAIRPERSON (ALSO ON BEHALF OF ALBANIA,
POLAND AND NORTH MACEDONIA)**

(Annex 14 to MC(28) Journal of 2 and 3 December 2021)

We, the Ministers for Foreign Affairs of Albania, Sweden, Poland, and North Macedonia, representing the previous, current, incoming, and future Chairpersons-in-Office of the Organization for Security and Co-operation in Europe (OSCE), remain deeply concerned about the conflict with respect to Ukraine, which constitute the most serious challenge to the European security order and a blatant example of violations of our commonly agreed principles and commitments and of international law.

Together with nearly all participating States, we would have preferred to see consensus emerge on a ministerial declaration on the OSCE's efforts towards peace with respect to Ukraine. This could have served as an important impetus for the conflict settlement process. Unfortunately, it was impossible to achieve consensus on the text since one participating State did not engage in discussions on substance. We welcome the strong support expressed during the negotiations for the sovereignty, independence, unity, and territorial integrity of Ukraine within its internationally recognized borders, including the Autonomous Republic of Crimea and the city of Sevastopol.

We remain fully committed to upholding the Charter of the United Nations, the Helsinki Final Act, the Charter of Paris for a New Europe, and the OSCE principles and commitments to which we have all agreed, in our efforts towards a peaceful and sustainable resolution of the conflict, in line with international law. We reaffirm the importance of achieving full and comprehensive implementation of the Minsk agreements in their entirety (the Protocol of 5 September 2014, the Memorandum of 19 September 2014, and the Package of Measures for the Implementation of the Minsk agreements of 12 February 2015).

The conflict is now in its eighth year. It is unacceptable that daily armed violence is allowed to continue, causing casualties and suffering among the civilian population in eastern Ukraine. We call for immediate adherence to the comprehensive, sustainable, and unlimited ceasefire in line with commitments, to prevent further casualties and build the confidence necessary for progress in other areas.

We are deeply concerned about ongoing tensions in the region and underline the importance of implementing confidence- and security-building measures to promote military stability, predictability, mutual trust, and transparency between participating States. In particular, we stress the necessity to act in accordance with and to fulfil all commitments under the Vienna Document adopted by all participating States.

We recall the need to protect civilians, and that international humanitarian and human rights law must be respected. We emphasize the urgency of ensuring safe access, delivery, storage, and distribution of humanitarian assistance to those in need, on the basis of an international mechanism, as foreseen under the Package of Measures. We also stress the need to address the serious socio-economic implications of the conflict.

We underline the importance of protecting human rights and fundamental freedoms, including the rights of persons belonging to national minorities, within Ukraine's internationally recognized borders.

We are deeply concerned that the right to freedom of movement of hundreds of thousands of civilians has been significantly restricted with dire consequences for the human rights situation, for people-to-people contacts, and for access to basic services. Apart from the direct effects, the prolonged separation of communities negatively affects social cohesion and prospects for future reintegration. With all entry-exit checkpoints across the line of contact in government-controlled areas open, the opening of all corresponding checkpoints in non-government-controlled areas, including those near Zolote and Shchastia, is long overdue. Political considerations cannot continue to overshadow humanitarian needs. We call for all crossing points to be made fully operational on a daily basis, and for all restrictions on crossings to be lifted. Steps must be taken to ensure civilians can enjoy their human rights wherever they reside in Ukraine.

We regret that no mutual release and exchange of conflict-related detainees have taken place since April 2020. We call for the release and exchange of all hostages and unlawfully detained persons, based on the principle of "all for all", starting with "all identified for all identified" as foreseen in the Common Agreed Conclusions of the Normandy Four summit of 9 December 2019. We call for the international organizations, including the International Committee of the Red Cross, to be granted full and unconditional access to all detained persons.

We reiterate our full support for the efforts undertaken in the "Normandy format" and call on the sides to fully implement the Common Agreed Conclusions of the summit meeting held in Paris on 9 December 2019. We recall that the Minsk agreements continue to be the basis of the work of the Normandy format, whose member States are committed to their full implementation. It is our hope that we will see the continuation of the Normandy format efforts at the highest level to discuss the political and security conditions, *inter alia* for the organization of the local elections, as agreed in Paris.

We recognize the crucial role of the Trilateral Contact Group (TCG), consisting of the representatives of Ukraine, the Russian Federation, and the OSCE, in facilitating the implementation of the Minsk agreements. We welcome the appointment of Ambassador Mikko Kinnunen as Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the TCG, and reiterate our support for him and for the co-ordinators of the working groups. Lack of progress in the TCG and on the ground is not due to a lack of effort on their behalf, but because of a lack of political will. We strongly encourage constructive engagement where each issue is looked at on its own merits, beginning with the finalization and implementation of the decisions on the identified additional areas for demining and for disengagement of forces and hardware. We also call upon the sides to proceed with other aspects of the Common Agreed Conclusions of the Paris Normandy summit, regarding the immediate measures to stabilize the situation in the conflict area.

We welcome the strong continued support for the essential work of the OSCE Special Monitoring Mission to Ukraine (SMM) expressed by participating States. The Mission contributes to reducing tensions and fostering peace, stability, and security, to monitoring and supporting the implementation of all OSCE principles and commitments, as well as

facilitating the implementation of the Minsk agreements. We express our sincere appreciation for the dedication shown by the brave women and men working for the Mission.

The SMM's unrestricted and unconditional access is essential to ensure effective monitoring and reporting on the security situation. We strongly reaffirm that the SMM is mandated to have safe and secure access throughout Ukraine, including across the line of contact and in non-government-controlled areas close to the international border. We stress that there can be no justification for any form of interference with the Mission's work and that the SMM must be provided with the necessary conditions to implement its mandate. We regret that the Mission has recently been increasingly constrained, overwhelmingly in non-government-controlled areas, including by unprecedented levels of signal interference with its unmanned aerial vehicles. We condemn any threat to the safety and security of the SMM staff and the targeting of SMM assets. These incidents should be prevented, and remedial action should be taken.

Effective and comprehensive monitoring of the Ukrainian-Russian State border remains essential to improve the security situation and find a sustainable political solution to the conflict. We call for enhanced transparency in the areas adjacent to the Ukrainian-Russian State border, through permanent monitoring and verification by the OSCE in line with the Minsk Protocol, until the reinstatement of full control of the State border by the Government of Ukraine throughout the conflict area as envisaged in the Package of Measures.

We deeply regret that no consensus could be reached on the extension of the mandate of the OSCE Observer Mission at the Russian Checkpoints Gukovo and Donetsk beyond 30 September 2021. We express our sincere gratitude to the women and men of the Observer Mission, which since its deployment in 2014 contributed to confidence-building and increased transparency on the Russian-Ukrainian border.

We welcome the SMM's plans to open forward patrol bases in the non-government-controlled areas close to the border with the Russian Federation. This would significantly improve the Mission's capability to monitor the situation. We regret that the political and security context so far precluded their opening, and urge the necessary conditions be provided to make that possible.

Taking into account the particular impact of the conflict on women and girls, and the many contributions made by women to peace and security, we recognize the need to further implement the women, peace and security agenda and to ensure the meaningful participation of women in all conflict resolution efforts.

We express our gratitude to the OSCE Project Co-ordinator in Ukraine and to the relevant OSCE executive structures, including the High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights, and the Representative on Freedom of the Media; as well as to the OSCE Parliamentary Assembly for their contributions to the efforts in addressing the conflict.

We underline the OSCE's valuable efforts regarding developments with respect to Ukraine, which demonstrate its added value as a regional arrangement for the maintenance of international peace and security in accordance with Chapter VIII of the Charter of the United Nations.

**STATEMENT BY
THE DELEGATION OF ARMENIA**
(Annex 2 to MC(28) Journal of 2 and 3 December 2021)

Madam Chairperson,
Dear colleagues,
Ladies and gentlemen,

At the outset I would like to join my colleagues in thanking the OSCE Swedish Chairpersonship for steering the Organization throughout the year.

One year after the war of aggression unleashed by Azerbaijan against the people of Nagorno-Karabakh and the conclusion of the 9 November trilateral statement, the situation in Nagorno-Karabakh and borders between Armenia and Azerbaijan remains tense. Since May 2021 Azerbaijani armed forces have infiltrated across the borders of Armenia. Up to now, they maintain and continue strengthening their illegal presence on the sovereign territory of Armenia.

By its aggressive actions Azerbaijan is flagrantly violating the Charter of the United Nations and the principles of the Helsinki Final Act. Needless to say, Azerbaijan's actions also violate its obligations under the trilateral statement of 9 November on the cessation of all hostilities.

Another feature of the use of force is a constant attempt of Azerbaijan not merely to hold but capture Armenian servicemen and civilians. Not only does Azerbaijan continue to ignore the calls of the international community for the immediate and unconditional release of all Armenian prisoners of war and civilian hostages, but on a number of instances, most recently on 16 November, its armed forces captured more military personnel in the course of its attack on the territory of Armenia.

No pretext can justify these violent actions. The continued presence of Azerbaijani armed forces on the territory of Armenia is a factor of destabilization in our region.

We hope that the 26 November trilateral meeting organized by the Russian Federation will pave the way for undertaking certain measures towards de-escalation of the situation in the region.

Dear colleagues,

The use of force has never been a way to peace in general and in particular in our region. The use of force can defreeze dormant conflicts for a certain period of time but they will get frozen again once there is no negotiated and peaceful solution. War can come as a unilateral choice but peace always requires consent of all sides.

Armenia is willing to achieve lasting stability in the South Caucasus and is ready for negotiations to achieve that.

The sooner Azerbaijan embarks on the resumption of the peace process, the better will be chances to achieve comprehensive and durable settlement in our region. The definition of

the status of Nagorno-Karabakh based on the realization of the right to self-determination, the safe and dignified return of the displaced Armenian population throughout the entire territory of Nagorno-Karabakh should be substantive issues of negotiations. Equally, the resolution of pending humanitarian issues such as the unconditional return of all Armenian prisoners of war and all other captives, inquiry into the cases of enforced disappearances, protection of cultural heritage necessitates the strong engagement of the OSCE and its relevant mandates.

With this in mind, Armenia will further contribute towards the resumption of a fully-fledged Nagorno-Karabakh peace process under the auspices of the OSCE Minsk Group Co-Chairmanship in close co-operation with all OSCE Minsk Group Co-Chair countries.

In closing, I would like to welcome Poland as an incoming Chairmanship of the OSCE and wish them every success. Thank you.

**STATEMENT BY
THE DELEGATION OF AZERBAIJAN**
(Annex 3 to MC(28) Journal of 2 and 3 December 2021)

Madam Chairperson,

At the outset, I would like to congratulate H.E. Ms. Ann Linde, the OSCE Chairperson-in-Office for hospitality and excellent organization of the Ministerial Council. I wish every success to our distinguished colleague H.E. Mr. Zbigniew Rau of Poland as the incoming Chairperson-in-Office.

Dear colleagues,

The Ministerial Council meeting almost coincided with the first anniversary of the trilateral statement of Armenia, Azerbaijan and the Russian Federation that put an end to the armed conflict and set the agreed parameters for establishing durable peace between Armenia and Azerbaijan. This statement was further complemented by the trilateral statement of 11 January 2021, specifically dealing with the opening of transport communications in the region.

The “Nagorno-Karabakh conflict” that lasted for almost 30 years is over. Immediately after the end of the conflict, Azerbaijan has proactively engaged in large-scale construction works in the liberated territories.

To this end, only this year 1.3 billion dollars has been allocated from the State budget. We have already accomplished construction of infrastructure and facilities, such as highways and airports. Cultural and religious monuments vandalized, desecrated or misappropriated during occupation are now being rebuilt and renovated.

Thus, the traces of occupation are being eliminated and the return to normal life is well underway. The OSCE, with its experience and available tools in post-conflict rehabilitation, can contribute to this process. We have proposed that the OSCE be engaged in targeted and demand-driven practical co-operation with Azerbaijan and are still expecting a response.

In the meantime, the end of the conflict presents a unique opportunity for both Armenia and Azerbaijan to move forward in building good-neighbourly inter-State relations on the basis of mutual recognition of and respect for each other’s sovereignty, territorial integrity and inviolability of international borders.

Azerbaijan repeatedly emphasized its readiness, in this regard, and took several unilateral steps in practice immediately after the end of the conflict. Armenia is yet to reciprocate.

In this context, continued violations by Armenia of its commitments under the trilateral statements are source of serious concern. Armenia has yet to comply with the 10 November trilateral statement and fully withdraw its armed forces from the territories of Azerbaijan.

Delay in restoration of all economic and transport links in the region must be ceased. It is a significant confidence-building and post-conflict normalization measure, along with its vast economic benefits for all concerned. Soonest operationalization of the Zangezur corridor is needed not only for unobstructed movement of persons, vehicles and cargo between mainland Azerbaijan and its Nakhchivan Autonomous Republic, it will also restore transport communications between Armenia and Azerbaijan in both directions, and thus, will serve the cause of irreversible peace and co-operation, and create new unprecedented opportunities for the whole region.

Armenia has also failed to submit full and accurate maps of all mined areas. This slows down the process of post-conflict rehabilitation and reconstruction in the liberated territories, and poses a serious barrier to the return of internally displaced persons to their homes in safety and dignity. Presently, Azerbaijan is among the most heavily mined countries in the world. Since the signing of the trilateral statement of 10 November 2020, 181 citizens of Azerbaijan, including 70 civilians, among them journalists and other media workers, have been killed or seriously wounded due to the explosion of mines indiscriminately laid by Armenia. Additional pressure needs to be exerted on Armenia to provide accurate maps of all mined areas, in line with its obligations under customary international humanitarian law.

Furthermore, Armenia has yet to implement its obligations with regard to identifying the whereabouts of close to 4,000 Azerbaijanis missing since the armed hostilities in early 1990s. This is important for healing the wounds of the former conflict.

Distinguished ministers,

With the liberation of territories of Azerbaijan from occupation, justice and order are restored, replacing the so-called “reality” that Armenia had created by force in violation of international law. As a result, peace between Armenia and Azerbaijan is within reach for the first time after nearly three decades.

In this regard, the meeting of the leaders of Azerbaijan, the Russian Federation and Armenia in Sochi on 26 November proved to be a significant step forward. The three leaders held detailed and substantive discussions on the implementation of previously agreed parameters and also identified further steps related to post-conflict normalization. The establishment by the end of this year of a bilateral Armenia-Azerbaijan commission, with a consultative role for the Russian Federation, for border delimitation and demarcation is of particular importance. Azerbaijan expects that these agreements will be realized in practice without delay and contribute to our goal of transforming the South Caucasus into more stable and predictable space.

At the current critical juncture, joint efforts by the entire international community are needed to help consolidate security and stability. The best thing the international community could do now is to avoid reinvigorating false expectations, and instead, focus all its efforts towards contributing to the full implementation of the trilateral statements and practical engagement with Armenia and Azerbaijan for building confidence and stability in the region.

The OSCE Minsk Group can also be helpful in post-conflict context in normalization between Armenia and Azerbaijan.

In view of the changed realities, we call upon our colleagues and partners to assess and take advantage of new promising opportunities in the region for development and co-operation.

I request that this statement be attached to the journal of the day. Thank you,
Madam Chairperson.

**STATEMENT BY
THE DELEGATION OF THE UNITED STATES OF AMERICA**

(Annex 4 to MC(28) Journal of 2 and 3 December 2021)

Thank you, Madam Chairperson.

We commend the Swedish Chairpersonship for its dedication in leading this Organization under the able stewardship of the Chairperson-in-Office Ann Linde and Ambassador Ulrike Funered.

The United States looks forward to working with Poland in 2022 as we seek to address some of the most significant challenges to our region. Indeed, as Secretary Blinken and so many other ministers underscored, we face challenges to the foundational principles of this Organization.

The situation in the South Caucasus region, including tensions between Armenia and Azerbaijan, remains fragile, and we urge the sides to work with the Minsk Group Co-Chairs and continue to engage in direct dialogue aimed at contributing to security, stability and prosperity in the region.

The United States welcomes the “5+2” statement on the settlement of the Transnistrian conflict. In addition to the issues addressed in it, we recall the need for fulfilment of OSCE Summit commitments regarding the withdrawal of Russian military forces from Moldova.

We regret that participating States did not reach consensus on a Georgia regional statement and express our unwavering support for Georgia’s sovereignty and territorial integrity within its internationally recognized borders.

In Belarus, we remain gravely concerned by the Lukashenko regime’s unprecedented repressive actions to silence dissent and crack down on civil society and independent media. That is why we joined others in invoking the Vienna Mechanism earlier this year.

In Ukraine, Russia has instigated an eight-year conflict and massive humanitarian crisis, forcibly seized and occupied Ukraine’s sovereign territory in Crimea, and continues to commit serious abuses in areas under its control. Let me be crystal clear: “Ukraine is in no way posing a threat to Russia or seeking a confrontation that would justify a Russian military intervention. The only threat is that of renewed Russian aggression toward Ukraine. It’s now on Russia to de-escalate the current tensions by reversing the recent troop build-up.” We are deeply concerned by the threats faced daily by the Special Monitoring Mission to Ukraine and regret Russia’s refusal to extend the mandate of the border Observer Mission. We do not, nor will we ever, recognize Russia’s purported annexation of Crimea. Crimea-related sanctions will remain in place until Russia returns full control of the peninsula and Minsk-related sanctions will remain in place until Russia fully implements its Minsk commitments.

We regret Russia prevented the 2021 Human Dimension Implementation Meeting (HDIM) from taking place. As Secretary Blinken said, it is essential that the HDIM take place in 2022. The HDIM constitutes a unique and indispensable function of the OSCE,

whereby all participating States are held accountable to each other and by civil society for living up to human dimension commitments.

Actions to block or otherwise impede progress on OSCE objectives and core functions adversely affect the comprehensive security which we all committed to achieve.

We were disappointed that none of the Forum for Security Co-operation texts achieved consensus. However, we are pleased that 47 participating States joined together this year in affirming support for modernizing the Vienna Document and that many participating States supported the strong statements on small arms and light weapons and on the centrality of the women, peace, and security agenda.

We need to redouble our efforts in the second dimension next year, not only on climate but on the economic side of the ledger, and in recognition of the linkages between dimensions. Corruption undermines democratic development and faith in institutions; the linkages between corruption and national security are real.

In a year overshadowed by a pandemic, a declaration by the Ministerial Council on women's economic empowerment, underscoring the disproportionate impacts of COVID-19 on women in the OSCE area would have been appropriate. We regret that we could not reach consensus on such an important issue as preventing and combating trafficking in human beings. We hope Poland will build upon the substance of the draft from our negotiations.

We thank the Chairperson-in-Office and the Norwegian chairperson of the Human Dimension Committee for their hard work this year on freedom of expression and other human rights and fundamental freedoms. These are under assault in many countries in the region and must be a focus in 2022.

I welcome the decision reached here on climate change – the first in seven years – and look forward to further work on building climate resilience in 2022.

The United States continues to place great value on this Organization, its principles and commitments, and its independent institutions. You can be assured of the United States' continued dedication to the OSCE and the goal of building a peaceful and prosperous region, where all people are treated with dignity and are free to exercise their human rights.

Madam Chairperson, we request that this statement be attached to the journal of the day.

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

(Annex 5 to MC(28) Journal of 2 and 3 December 2021)

Madam Chairperson,
Esteemed colleagues,

First of all, allow me to express our gratitude to the Swedish Chairmanship for the successful holding of this key OSCE event – the Ministerial Council meeting in Stockholm – in a face-to-face format, despite the challenging conditions due to the ongoing coronavirus pandemic. New technologies, even the most advanced ones, will never be able to substitute for face-to-face interaction. The substantively rich exchange of views during the plenary sessions and the working lunch and dinner, and also on the margins of the Ministerial Council meeting, was very useful.

We believe that the practice of reaching agreement on draft Ministerial Council documents prior to the start of the meeting is worth maintaining. It fosters a sense of discipline. Obviously, it is necessary to start the work on draft documents well in advance and to look for solutions, rather than putting things off until the last minute.

Unfortunately, the complex political climate at the OSCE and the acute crisis of trust in relations among the participating States prevented the potential of our Organization from being unlocked fully in terms of reducing politico-military tensions in the Euro-Atlantic area and finding collective responses to common challenges. This became evident during the process of agreeing on Ministerial Council decisions.

Together with a number of other States, Russia put forward a draft declaration on preventing and combating the use of the Internet for terrorist purposes. We are disappointed that the politicized approaches of certain countries deprived us all of the opportunity to work out a Ministerial Council document on this important subject.

At the same time, we are pleased to note that it proved possible to agree on and adopt a decision on strengthening co-operation to address the challenges caused by climate change. This confirms the relevance of the OSCE's complementary role in the global climate process under the aegis of the United Nations. Aspects such as co-operation in mitigating the negative impacts of climate change, the importance of restoration of forests and the increased use of clean energy sources are enshrined in the document.

A defining moment for the OSCE's future was the approval of Finland as the holder of the OSCE Chairmanship in 2025, the Organization's golden jubilee. We congratulate our Finnish colleagues and hope that this landmark event will restore our Organization to its historic mission of working to strengthen pan-European security.

Fundamental disagreements made it impossible to adopt the Stockholm Declaration, a political declaration, that offered a good chance to reaffirm the goals of building a free, democratic, common and indivisible security community, as endorsed at the OSCE Summit in Astana in 2010.

For the second year in a row, agreement could not be reached on a declaration on the impact of COVID-19. The adoption of such a document could send a strong signal that the OSCE countries are capable of maintaining a united front in the face of a common misfortune. We hope that next year this important topic can be dealt with more effectively.

There are plenty of unifying themes at the OSCE. Our interests overlap in many areas where co-operation would be mutually beneficial. Unfortunately, many initiatives are assessed by certain participating States not in terms of their content, but in terms of who authored them. We took a constructive attitude. The Russian delegation worked conscientiously on the drafts proposed by the Chairmanship and carefully reviewed other documents as well.

We would ask the future Polish Chairmanship to take into account one important aspect. The past few years have shown that “gender extremism” in our work does not yield results. Trying to impose non-consensus concepts that only a fraction of the States subscribe to takes up a lot of time and energy.

The situation in Afghanistan calls for increased co-operation in countering transnational threats, above all terrorism but also illicit drug trafficking. The OSCE should maintain a high profile in combating the spread of terrorist ideology, notably via the Internet, social media and the media, and make better use of the potential of the Security Committee of the OSCE Permanent Council in priority areas in the field of counter-terrorism.

In the second dimension, it is important to preserve the depoliticized nature of co-operation and to properly address the crucial topic of the socio-economic consequences of the coronavirus pandemic.

In the human dimension, it is necessary to show respect for the different models of civilizational and societal development. Double standards, lecturing and imperiousness need to be forsworn; ideological dividing lines should not be drawn. It is time to ensure adequate protection of the linguistic and educational rights of national minorities. The glorification of Nazism and the falsification of history must be combated resolutely. The preparation of Ministerial Council declarations to combat intolerance against Christians and Muslims, as mandated by the 2014 Basel Ministerial Council, must finally be undertaken.

We wish our Polish colleagues every success in 2022. We are counting on Poland to structure the OSCE’s work strictly on the basis of the Chairmanship’s mandate, taking due account of the approaches of all participating States.

Thank you for your attention.

I request that this statement be attached to the journal of today’s meeting of the Ministerial Council.

**STATEMENT BY
THE DELEGATION OF DENMARK
(ALSO ON BEHALF OF ALBANIA, ANDORRA,
ARMENIA, AUSTRIA, AZERBAIJAN, BELGIUM, BOSNIA AND
HERZEGOVINA, BULGARIA, CANADA, CROATIA, CYPRUS, THE
CZECH REPUBLIC, ESTONIA, FINLAND, FRANCE, GEORGIA,
GERMANY, GREECE, HUNGARY, ICELAND, IRELAND, ITALY,
LATVIA, LIECHTENSTEIN, LITHUANIA, LUXEMBOURG, MALTA,
MOLDOVA, MONACO, MONTENEGRO, THE NETHERLANDS,
NORTH MACEDONIA, NORWAY, POLAND, PORTUGAL, ROMANIA,
SAN MARINO, SERBIA, SLOVAKIA, SLOVENIA, SPAIN, SWEDEN,
SWITZERLAND, TURKEY, UKRAINE, THE UNITED KINGDOM
AND THE UNITED STATES OF AMERICA)**

(Annex 6 to MC(28) Journal of 2 and 3 December 2021)

I have the honour to make this statement on behalf of the following 48 participating States: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom, the United States of America and my own country Denmark.

This year, we mark the 30th anniversary of the landmark Moscow Document, which contributed to shaping the democratic principles of the OSCE area, as we know them today. In this milestone document, the participating States jointly emphasized that the respect for human rights, fundamental freedoms, democracy and the rule of law is one of the foundations of the international order.

Since then, we have made great strides in advancing human rights and fundamental freedoms. However, still today, we see that the fight for freedom, justice and democracy is far from over, and that their defence requires our ongoing vigilance and principled action. The space for civil society and independent media is rapidly shrinking. Discrimination excludes too many from full, equal and meaningful participation in our societies. And the news headlines feature threats and violence against peaceful protesters.

At the same time, the world has never been more interconnected. People exercise their human rights and fundamental freedoms online as well as offline. Human rights violations and abuses in one part of our region can have a serious impact in another. As the OSCE's comprehensive security concept provides, respect for human rights within States remains essential to lasting security and prosperity among States.

We highly value the Human Dimension Implementation Meeting (HDIM) as an important platform for the participating States and civil society to review the implementation of the OSCE human dimension commitments across the region. We deeply regret that this year's meeting was not held, and it is important that the HDIM is held next year.

Madam Chairperson,

In Moscow 30 years ago, all participating States categorically and irrevocably declared that commitments in the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.

Accordingly, we will continue to speak out when democratic principles, human rights and fundamental freedoms are violated or abused. Whether it is human rights defenders and journalists facing reprisals for their brave work, or violent crackdowns on peaceful protesters aspiring for democratic change. We will keep pressing for the eradication of torture and other ill-treatment. We will continue to defend free and fair elections. We will challenge stereotypes and prejudice, combat myths with facts, and promote a world where no individual is left behind or targeted for who they are, for whom they love, for what they look like, or for what they believe or say.

Civil society is the conscience of our countries. It provides a source of ideas and is a key component of an open, inclusive and thriving democracy, where no one is above the law. We are therefore committed to a world where all are free to associate and peacefully assemble, speak their mind, believe or not believe and hold their governments to account without retribution. We pay tribute to the individuals and civil society organizations that work tirelessly to defend our shared dedication to democracy, human rights and fundamental freedoms. They deserve our recognition, protection and support.

We commend the work of the OSCE autonomous institutions – the Office for Democratic Institutions and Human Rights, the Representative on Freedom of the Media and the High Commissioner on National Minorities – for their efforts to promote and protect human rights, as core components of peaceful, inclusive and democratic societies. Their work, mandates and institutional independence are essential to the promotion and advancement of democracy, human rights and fundamental freedoms in our region. We highly appreciate the important work of the OSCE field operations. They assist the implementation of our commitments on the ground every day.

Thirty years on, the commitments and tools in the Moscow Document remains as important as ever. We will continue to fight to ensure that the implementation of OSCE principles and commitments stays at the forefront of our work in this Organization for the benefit of all who call the OSCE area their home.

In closing, we would also like to express our sincere appreciation to the OSCE Chairpersonship and the chairperson of the Human Dimension Committee who work on our behalf to strengthen the human dimension.

I would be grateful if you would attach this statement to the journal of this Ministerial Council meeting. Thank you.

**STATEMENT BY
THE DELEGATION OF ROMANIA
(ALSO ON BEHALF OF ALBANIA, BELGIUM, BULGARIA,
CANADA, CROATIA, THE CZECH REPUBLIC, DENMARK,
ESTONIA, FRANCE, GERMANY, GREECE, HUNGARY, ICELAND,
ITALY, LATVIA, LITHUANIA, LUXEMBOURG, MONTENEGRO,
THE NETHERLANDS, NORTH MACEDONIA, NORWAY,
POLAND, PORTUGAL, SLOVAKIA, SLOVENIA,
SPAIN, TURKEY, THE UNITED KINGDOM AND
THE UNITED STATES OF AMERICA)**

(Annex 7 to MC(28) Journal of 2 and 3 December 2021)

Madam Chairperson,

This statement is delivered on behalf of the following participating States: Albania, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Turkey, the United Kingdom and the United States of America, as well as my own country, Romania.

The global COVID-19 pandemic continues to test the resilience of our nations and our OSCE community. The unprecedented challenges of the pandemic have added a new layer of complexity to the security environment and challenges we face and to a context in which international law and Helsinki Final Act principles are being blatantly disregarded. Verification activities suspended due to the COVID-19 pandemic should be resumed as soon as the health situation allows and with a view to reciprocity.

Climate change is one of the defining challenges of our times. It is a threat multiplier that impacts our security both in the OSCE area and globally. We encourage meaningful engagement in the OSCE on this issue, including to increase our awareness, adaptation and mitigation efforts. Climate change puts our resilience and civil preparedness to the test, affects our planning and the resilience of our military installations and critical infrastructure.

Security challenges have not diminished. Key principles and commitments continue to be contravened. We stand firm in our commitment to the fight against terrorism in all its forms and manifestations and are taking stronger action together to prevent and counter it. Instability beyond our borders is also contributing to irregular migration and human trafficking. Both State and non-State actors use hybrid activities to target our political institutions, our public opinion, and the security of our citizens. Cyberthreats are complex, destructive, coercive, and becoming ever more frequent. This has been recently illustrated by ransomware incidents and other malicious cyberactivity.

In order to tackle these challenges and rebuild trust the OSCE participating States need to engage in sincere dialogue and multilateral co-operation, based on respect for fundamental principles that lie at the heart of this Organization.

We continue to respond to the deteriorating security environment by enhancing our deterrence and defence posture. We remain open to a meaningful dialogue with Russia, including in OSCE platforms, on the basis of reciprocity, with a view to avoiding misunderstanding, miscalculation, and unintended escalation, and increasing transparency and predictability. We also remain open to a constructive relationship with Russia when its actions make that possible.

However, the reality is that Russia's growing multi-domain military build-up, more assertive posture, novel military capabilities, and provocative activities, including near our borders, as well as its large-scale no-notice exercises, the continued military build-up in Crimea and on Ukraine's borders, the deployment of modern dual-capable missiles in Kaliningrad, military integration with Belarus, and repeated violations of our airspace, increasingly threaten the security of the OSCE area and the rules-based international order and contribute to instability along our borders and beyond. In addition to its military activities, Russia has also intensified its hybrid actions against our allies and partners, including through its intelligence services and proxies. This includes attempted interference in elections and democratic processes; political, economic and energy-related pressure and intimidation; widespread disinformation campaigns; malicious cyberactivities and turning a blind eye to cybercriminals operating from its territory, including those who target and disrupt critical infrastructure in our countries. We stand in full solidarity with the Czech Republic and other participating States that have been affected in this way.

Here at the OSCE, we deeply regret Russia's refusal to support holding the 2021 Human Dimension Implementation Meeting. Moscow's obstructionism is detrimental to the efficient pursuits of human dimension objectives which are at the core of the OSCE comprehensive concept of security.

We reiterate our unwavering support for the territorial integrity and sovereignty of Ukraine within its internationally recognized borders, extending to its territorial waters. In accordance with its international commitments, we call on Russia to withdraw the forces it has stationed in the country without its consent. We strongly condemn and will not recognize Russia's illegal and illegitimate annexation of the Autonomous Republic of Crimea and the city of Sevastopol and denounce its temporary occupation. The human rights abuses and violations against the Crimean Tatars and members of other local communities must end. Russia's military build-up and destabilizing activities in and around Ukraine have further escalated tensions and undermined security. We condemn its ongoing aggression in eastern Ukraine. We also condemn Russia's ongoing militarization of the Crimean peninsula, which continues to impact the security situation near the Kerch Strait, Sea of Azov and the Black Sea region. We call on Russia to reverse its military build-up and stop restricting navigation in parts of the Black Sea. We also call on Russia to stop impeding access to the Sea of Azov and Ukrainian ports. We deeply regret Russia's refusal to extend the mandate of the OSCE Observer Mission at the Russian Checkpoints Gukovo and Donetsk and in accordance with Article 4 of the Minsk Protocol we underline the importance of the effective monitoring of the Ukrainian border areas temporarily not under the control of the Government of Ukraine. We call on Russia to remove any obstacles in this regard allowing for greater transparency and to provide safe and secure access for Special Monitoring Mission to Ukraine (SMM) operations throughout Ukraine, consistent with the SMM's mandate, including new forward patrol bases as suggested by the SMM. We commend Ukraine's posture of restraint and diplomatic approach aimed at peacefully resolving the Russia-Ukraine conflict. We seek to contribute to de-escalation.

We call for the full implementation of the Minsk agreements by all sides, and support the efforts of the Normandy format and the Trilateral Contact Group. Russia, as a signatory of the Minsk agreements – and a party, not a mediator to the conflict – bears significant responsibility in this regard. We call on Russia to stop fuelling the conflict by providing financial and military support to the armed formations it backs in eastern Ukraine. We reiterate our full support to the OSCE SMM to Ukraine. We stress the importance of ensuring its safety and full and unhindered access for its monitors throughout the entire territory of Ukraine, including Crimea and the Russia-Ukraine border, in accordance with its mandate. To this end we call on Russia to use its undeniable influence over the armed formations it backs to stop obstructing SMM patrols, targeting unmanned aerial vehicle flights and tampering with SMM cameras as well as cease restricting its movements within the non-government-controlled area.

We reiterate our support for the territorial integrity and sovereignty of Moldova and Georgia within their internationally recognized borders. In accordance with international obligations and commitments, we call on Russia to withdraw the forces it has stationed in both countries without their consent.

We remain deeply concerned about increased repression in Belarus since August 2020. We strongly condemn continued wide-scale attacks and unprecedented pressure on independent media outlets, journalists, civil society organizations, human rights defenders, political opposition members and other everyday citizens who peacefully demand democracy. We call on the authorities to immediately and unconditionally release all political prisoners, including those belonging to the Union of Poles in Belarus. We urge the Belarusian authorities to enact the relevant recommendations within the OSCE. The policies and actions of Belarus have implications for regional stability. We strongly condemn the continued instrumentalization of irregular migration artificially created by Belarus as part of hybrid actions targeted against Poland, Lithuania, and Latvia for political purposes. We will remain vigilant against the risk of further escalation and provocation by Belarus at its borders with Poland, Lithuania, and Latvia, and will continue to monitor the implications for our security. We call on Belarus to cease these actions, to respect human rights and fundamental freedoms, and to abide by international law.

Arms control, disarmament and non-proliferation instruments have made and should continue to make an essential contribution to achieving our security objectives and to ensuring strategic stability and our collective security. We remain collectively determined to uphold and support existing disarmament, arms control, and non-proliferation agreements and commitments. We will seek to further strengthen arms control, disarmament, and non-proliferation measures, as a key element of security in the OSCE area, taking into account the prevailing security environment. We welcome new strategic talks between the United States of America and Russia on future arms control measures, taking into account our collective security.

As we mark the twenty-fifth anniversary of the OSCE's Lisbon Framework for Arms Control, we underline the importance of conventional arms control and confidence- and security-building measures (CSBMs) for advancing comprehensive, co-operative and indivisible security in the OSCE area. The effectiveness of arms control instruments and CSBMs is primarily reliant on political will. We call on all OSCE participating States to fully adhere to their arms control commitments and obligations. We are determined to preserve,

strengthen, and modernize conventional arms control in Europe, based on key principles and commitments, including respect for sovereignty and territorial integrity, refraining from the threat or use of force, reciprocity, transparency, and host nation consent to the presence of foreign forces.

Russia's ongoing selective implementation of the Vienna Document, its long-standing failure to implement the Treaty on Conventional Armed Forces in Europe and its decision to withdraw from the Treaty on Open Skies, combined with its aggressive military posture, continue to undermine security and stability in the OSCE area. We call on Russia to return to full implementation of and compliance with the letter and spirit of all of its international obligations and commitments, which is essential to rebuild trust and confidence, military transparency and increase predictability in the OSCE area.

Enhancing military transparency and confidence in the entire OSCE area is, and will remain, a top priority in the Forum for Security Co-operation. We call on Russia to abide by its Vienna Document commitments, fully and in good faith, and to be open and transparent about its no-notice snap exercises and large-scale exercises and troop movements. Russia's failure to provide substantive explanations regarding its unusual military build-up in and around Ukraine last spring and failure to address concerns regarding the exercise "Zapad-21" yet again call into question its adherence to the Vienna Document. Our concerns about Russia's unusual military activities are ongoing. OSCE participating States should continue to address effective risk reduction and incident prevention and ways to increase military transparency, including in the discussions within the Structured Dialogue and its expert-level workshops in accordance with the Hamburg mandate.

We consider full implementation and substantial modernization of the Vienna Document the most critical step OSCE participating States can take in that regard. We welcome the broad support for modernizing the Vienna Document and look forward to intensified discussions in the Forum for Security Co-operation leading to consensus on an updated Vienna Document. The joint proposal on Vienna Document modernization supported by the majority of participating States provides a sound basis for active and collaborative negotiations. We appeal to Russia to reconsider its position and constructively engage without precondition in negotiations on the mutually beneficial and long-overdue modernization of the Vienna Document. We call on Russia to demonstrate the necessary political will to re-build military transparency, de-escalate tensions and address widely shared concerns about the European security environment.

The Treaty on Open Skies is an important legally binding instrument and a recognized element of the confidence-building framework in the OSCE area, intended to provide a level of transparency that contributes to the promotion of confidence, stability and security between States Parties. In this regard, we deeply regret the notification by Russia of its decision to withdraw from the Treaty. We have repeatedly called on Russia to return to full compliance with the Treaty and have taken multiple steps to constructively resolve outstanding issues of compliance. The past months should have been used to reconsider the withdrawal decision and to return to full compliance.

At the same time we value the Structured Dialogue launched by the 2016 Hamburg ministerial declaration on the current and future challenges and risks to security in the OSCE area as an opportunity to renew a meaningful exchange of ideas among all of the stakeholders to rebuild trust. We commend the Spanish chairperson of the Informal Working Group and

his team for the significant and valuable work done this year and the previous one in the Structured Dialogue addressing risk reduction and threat perceptions. We actively support the continuation of the Structured Dialogue as a transparent, inclusive process owned and driven by participating States, and without a predetermined outcome. We acknowledge that this is a long-term process, which will take more time. We encourage all participating States to engage constructively in these efforts in Vienna.

We regret the fact that no consensus has been reached on the proposals for four Forum for Security Co-operation deliverables for this Ministerial Council meeting. We welcome the joint statements on Vienna Document modernization and on small arms and light weapons and stockpiles of conventional ammunition.

Recognizing the critical importance of women's full, equal, and meaningful participation at all levels of decision-making and leadership in all aspects of peace and stability, as well as the disproportionate impact that conflict has on women and girls, including conflict-related sexual violence, we are committed to fully implementing the women, peace and security agenda. We underline the relevance of United Nations Security Council resolution 1325 and related resolutions for the OSCE's work, including the Forum for Security Co-operation.

In conclusion, all OSCE participating States need, without further delay, to rebuild the co-operative security environment, by returning to constructive dialogue based on respect in practice for the principles that fully uphold the rules-based international order.

The participating States subscribing to this statement request its attachment to the journal of this Ministerial Council meeting.

**STATEMENT BY
THE DELEGATION OF MONTENEGRO
(ALSO ON BEHALF OF ALBANIA, ANDORRA, AUSTRIA,
AZERBAIJAN, BELARUS, BELGIUM, BOSNIA AND HERZEGOVINA,
BULGARIA, CANADA, CROATIA, CYPRUS, THE CZECH REPUBLIC,
DENMARK, ESTONIA, FINLAND, FRANCE, GEORGIA, GERMANY,
GREECE, HUNGARY, ICELAND, IRELAND, ITALY, KAZAKHSTAN,
KYRGYZSTAN, LATVIA, LIECHTENSTEIN, LITHUANIA,
LUXEMBOURG, MALTA, MOLDOVA, MONACO, THE
NETHERLANDS, NORTH MACEDONIA, NORWAY,
POLAND, PORTUGAL, ROMANIA, SAN MARINO, SERBIA,
SLOVAKIA, SLOVENIA, SPAIN, SWEDEN, SWITZERLAND,
TURKEY, UKRAINE, THE UNITED KINGDOM AND
THE UNITED STATES OF AMERICA)**

(Annex 8 to MC(28) Journal of 2 and 3 December 2021)

I have the honour to make this statement on behalf of the following 50 participating States: Albania, Andorra, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom, the United States of America and my own country, Montenegro.

We recognize that illicit trafficking in and destabilizing accumulation of small arms and light weapons (SALW) and stockpiles of conventional ammunition (SCA) can pose a serious threat to our societies and acknowledge the work of the OSCE as the largest regional organization together with the participating States to mitigate these threats.

We recognize the importance of OSCE norms and best practices aimed at combating illicit trafficking in all its aspects with regard to SALW and SCA, and note the threat posed by the diversion of SALW and SCA to illicit markets, *inter alia*, into the hands of terrorist and other criminal groups, and are mindful of the security and safety risks in this regard.

We are concerned by the negative impact of illicit trafficking in SALW and SCA on our societies, in particular the impact on women and children and note the importance of tackling the aforementioned challenges effectively and continue to enhance the OSCE's SALW- and SCA-related norms and best practices and their implementation.

We acknowledge the focus of the United Nations on addressing SALW-related issues in all its aspects and the importance of regional organizations in such efforts. In this respect we welcome the outcomes of the Seventh Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York in July 2021 as well as the report of the Group of Governmental Experts on problems arising from the

accumulation of conventional ammunition stockpiles in surplus, issued in September 2021, and the relevant United Nations General Assembly resolutions.

We welcome the outcomes of the second Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA, held on 13 and 14 October 2020, and of the OSCE Meeting to Review the Implementation of OSCE Assistance Projects in the Field of SALW and SCA, held on 5 and 6 October 2021, and related activities undertaken by the Forum for Security Co-operation (FSC), including the FSC's ongoing efforts to improve the implementation of the commitments and to review and update the OSCE Best Practice Guides on SALW and SCA. We welcome efforts undertaken with regard to combating illicit trafficking in SALW and SCA and the launch, in 2021, of a thematic review of the assistance mechanism under the OSCE Documents on SALW and SCA with the overall aim of improving the mechanism's implementation and adapting it to current needs.

We reiterate our commitment to:

- Continue our efforts to further promote full and effective implementation of the commitments set out in the OSCE Document on SALW, the OSCE Document on SCA, and related Ministerial Council and Forum for Security Co-operation (FSC) decisions;
- Facilitate ongoing efforts aimed at supporting participating States' efforts to combat illicit trafficking in SALW and SCA by promoting effective management of all aspects of the SALW life cycle by government security forces in all phases of the conflict cycle, and develop and implement effective and tailored OSCE assistance projects in this field;
- Continue to promote the exchange of views and information and the sharing of best practices among the participating States on a voluntary basis and if relevant to the FSC's mandate, in order to address the impact of the excessive and destabilizing accumulation and uncontrolled spread of SALW and associated ammunition on women and children and create equal opportunities for women's participation in policy-making, planning and implementation processes aimed at combating illicit trafficking in SALW, and likewise for their meaningful participation in OSCE assistance projects in the field of SALW and SCA;
- Further promote the voluntary application of the OSCE Best Practice Guides on SALW and SCA during the implementation of OSCE assistance projects and in national capacity-building;
- Explore ways to enhance outreach to the OSCE Partners for Co-operation on SALW- and SCA-related issues in line with relevant United Nations Security Council resolutions and OSCE commitments;
- Continue, within the FSC Security Dialogues, to engage in discussions on topical security issues related to SALW and SCA.

We encourage the OSCE Partners for Co-operation voluntarily to support the work in this field and join the discussion.

We would like to express our deep regret that like in 2020 also this year no consensus could be reached on a Ministerial Council decision on SALW and SCA.

In closing, we would like to express our sincere appreciation and thanks to the Austrian FSC Chairmanship for its efforts undertaken to reach a compromise.

I would be grateful if you could attach this statement to the journal of the meeting.

**STATEMENT BY
THE DELEGATION OF ICELAND
(ALSO ON BEHALF OF BULGARIA, CANADA,
THE CZECH REPUBLIC, ESTONIA, FINLAND, IRELAND, LATVIA,
LITHUANIA, NORWAY, POLAND, ROMANIA, SLOVAKIA,
UKRAINE, THE UNITED KINGDOM AND THE
UNITED STATES OF AMERICA)**
(Annex 9 to MC(28) Journal of 2 and 3 December 2021)

This statement is delivered on behalf of Bulgaria, Canada, the Czech Republic, Estonia, Finland, Iceland, Ireland, Latvia, Lithuania, Norway, Poland, Romania, Slovakia, Ukraine, the United Kingdom and the United States of America.

We reaffirm our full support for Georgia's sovereignty and territorial integrity within its internationally recognized borders.

Thirteen years since the Russian Federation's military invasion of Georgia, we remain deeply concerned over the continued occupation of parts of the territory of Georgia and underline the need for the peaceful resolution of the conflict based on full respect for the Charter of the United Nations, the Helsinki Final Act and international law.

We welcome Georgia's compliance with the European Union-mediated 12 August 2008 ceasefire agreement. We call upon Russia to fulfil immediately its clear obligation under the ceasefire agreement to withdraw its forces to pre-conflict positions, as well as its commitments to allow unfettered access for the delivery of humanitarian assistance and not to impede creation of international security arrangements on the ground. We call upon Russia to reverse its recognition of the so-called independence of Georgia's Abkhazia and South Ossetia regions.

We reiterate our deep concern over Russia's military exercises and ongoing military presence in Georgia's Abkhazia and South Ossetia regions.

We condemn Russia's steps which appear intended to unilaterally establish the Georgia-Russia State border on the segments of the occupied territories and incorporate a part of Aibgha village of Georgia into Krasnodar Krai. We urge Russia to reverse this process. We are also concerned with ongoing work in implementation of the "programme" on creation of a common socio-economic space between the Russian Federation and the Abkhazia region of Georgia as well as the so-called agreement on dual citizenship with the South Ossetia region of Georgia, as another step toward *de facto* annexation. We condemn the holding of the 2021 Russian State Duma elections in Abkhazia and South Ossetia regions of Georgia and illegal opening of polling stations, as a blatant violation of Georgia's sovereignty.

We note the January 2021 judgment of the European Court of Human Rights in the case concerning the armed conflict between Georgia and the Russian Federation in August 2008 and its consequences, including its findings that Russia has exercised effective control over Georgia's regions of Abkhazia and South Ossetia following the 12 August 2008 ceasefire agreement, including through its military presence. The Court also ruled that Russia, in violation of the European Convention on Human Rights, tortured Georgian

prisoners of war; arbitrarily detained and killed Georgian civilians, and was responsible for their inhuman and degrading treatment; prevented the return of ethnic Georgians to their homes; and failed to conduct investigations into killings of civilians. We call on Russia to fully comply with the judgment, including by allowing internally displaced persons (IDPs) to return to their homes in safety and dignity.

We are concerned over the ethnic discrimination against Georgians residing in Georgia's Abkhazia and South Ossetia regions and abuses, including severe restrictions on rights related to freedom of movement, education, residence and property, particularly in connection with the destruction of the houses of IDPs. We call on those in control to enable full and unhindered access by international human rights organizations to the Georgian regions of Abkhazia and South Ossetia. We condemn the decision to replace instruction in Georgian language with Russian in schools of the ethnic-Georgian-inhabited Gali district of the Abkhazia region.

We are particularly concerned over the ongoing installation of barbed wire fences and other artificial barriers along the administrative boundary lines of Georgia's Abkhazia and South Ossetia regions, and by the closure of so-called administrative boundary line crossing points in the South Ossetia region of Georgia for over two years. Isolation and continuous restrictions on freedom of movement have destabilized the situation on the ground and severely impacted the security, safety, well-being, and humanitarian conditions of civilians in conflict-affected areas, particularly in the Akhagori district, where reports suggest the local population suffers from shortages of medicine and food, and is denied access to pensions and essentials, including the free healthcare services available in Georgian Government controlled territory. This creates a risk for further depopulation of the Akhagori district.

We remain deeply concerned by ongoing arbitrary detentions around the administrative boundary lines and call for the immediate and unconditional release of Irakli Bebuia and all those under arbitrary detention.

We condemn the killing of the Georgian citizens Archil Tatumashvili, Giga Otkhoshoria, and Davit Basharuli, and urge Russia to remove any obstacles to bringing the perpetrators to justice. In this context, we reiterate our support for Georgia's preventive steps aimed at eradicating impunity and note the Otkhoshoria-Tatumashvili List adopted by the Government of Georgia.

We take positive note of the establishment of a humanitarian corridor across the administrative boundary line in the Abkhazia region, which has saved lives during the COVID-19 pandemic. We also take positive note of the reopening of the so-called "crossing point" at the Enguri bridge this year. We urge full resumption of all administrative boundary line crossings in both the Abkhazia and the South Ossetia regions, and hope this step will help ease the socio-economic impacts of COVID-19.

We support the Geneva International Discussions as an important format to address the security, human rights, and humanitarian challenges stemming from the unresolved Russia-Georgia conflict. We were pleased that the Geneva International Discussions were able to hold four meetings in the past year, despite the challenges of the global pandemic. We underline the necessity of progress on the core issues of the discussions, including on the non-use of force, establishing international security arrangements in Georgia's Abkhazia and South Ossetia regions and ensuring the safe, dignified, and voluntary return of IDPs and

refugees in accordance with international law. We strongly support applying the women, peace and security agenda in the Geneva International Discussions in order to facilitate inclusive and sustainable peace and security on the ground.

We express our support for the Incident Prevention and Response Mechanisms (IPRMs) in Ergneti and Gali and emphasize the important role they can have in preventing the escalation of the conflict and in helping protect the safety and security of people on the ground. We express our great concern over the lengthy suspension of the Gali IPRM and urge its resumption without further delay or pre-conditions, in line with the ground rules.

We reaffirm our unwavering support for the European Union Monitoring Mission (EUMM) and call upon Russia to allow the EUMM to implement its mandate in full, including by enabling the EUMM's access on both sides of the administrative boundary lines.

We welcome the decision of the Government of Georgia to launch a multi-stakeholder process for developing a comprehensive "State strategy for de-occupation and peaceful conflict resolution," as well as the launch of the strategic review of the reconciliation and engagement policy. We support the Georgian Government's "A Step to a Better Future" peace initiative, aimed at improving the humanitarian and socio-economic conditions of people residing in Georgia's Abkhazia and South Ossetia regions and at fostering confidence-building among divided communities. We urge active work on reconciliation and engagement programmes and stand ready to support them.

We encourage the OSCE's engagement in the process of finding a peaceful resolution to the conflict in Georgia. We regret the closure of the OSCE Mission to Georgia in 2009 and encourage the OSCE participating States to decide on the reopening of the OSCE cross-dimensional mission in Georgia, including a monitoring capacity able to operate unhindered across the administrative boundary lines. The reopening of the mission would strengthen considerably the OSCE's engagement in the Geneva International Discussions and IPRMs, and in implementation of confidence-building measures.

The Group of Friends of Georgia will continue to raise awareness of the conflict and of developments on the ground, hold Russia accountable for its obligations and commitments, and advocate for the conflict's peaceful resolution.

**STATEMENT BY
THE DELEGATION OF CANADA**
(Annex 10 to MC(28) Journal of 2 and 3 December 2021)

Madam Chairperson,

Let me begin by thanking Sweden for their warm hospitality during this year's Ministerial Council meeting. My delegation would also like to make a national closing statement, in addition to the joint statements that have included Canada.

As Minister Joly said yesterday, multilateralism and dialogue are critically important in today's world, and we must continue to work together towards our collective security and stability. Regrettably, we see that the OSCE is not working together in the ways that it must. While we are leaving Stockholm with an important decision related to climate change, there were numerous important decisions being negotiated where we could not reach agreement, despite good faith compromises by many, because of the objections of a few or of just one. We saw that maximalist positions prevailed, and that the scope for good faith consensus-building shrank ever further. In fact, the positions in the negotiations reflected what we have seen throughout this year, as the consensus principle continues to be warped, ever further away from its intended purposes, from finding common ground to being abused as a unilateral veto. This is not sustainable and, if we want the Organization to fulfil its mandate, we cannot continue down this path.

We must not allow this to happen, because there are too many serious issues and conflicts in our region that the OSCE is best placed to address: those in and around Ukraine, in Belarus, in Nagorno-Karabakh, in Transdniestria, Moldova, and in Georgia. In all these areas, the OSCE has the tools to improve the situation, but they must be used in good faith. Some disingenuously argue that the challenges in making use of the OSCE's tools are evidence of the need for reform within the Organization. This is a spurious assertion. The OSCE provides us with a fantastic array of tools to prevent conflict and build security, but we are failing to make use of them. The challenges that we face are not a failure of the OSCE as an institution; they are a reflection that some States are not abiding by their Helsinki Final Act principles and OSCE commitments. A return to compliance with these principles and commitments, most importantly respect for sovereignty and territorial integrity within internationally recognized borders, is imperative.

We must also allow the Secretariat and the autonomous institutions, the Office for Democratic Institutions and Human Rights, the Representative on Freedom of the Media, and the High Commissioner on National Minorities, the ability to carry out their mandates to support all us OSCE participating States in fulfilling our commitments. As Secretary General Schmid stated, the Organization can do more if empowered to do so. We must not let narrow interests prevent the potential good work of the OSCE, as we saw in the 2021 budget.

In these times of elevated tensions, the importance of our shared *acquis* of confidence- and security-building measures (CSBMs) cannot be understated. The transparency provided by our CSBMs, in particular the Vienna Document, remains the fundamental underpinning of our risk reduction toolbox. When fully implemented, in both letter and spirit, they represent a clear path to de-escalation and the easing of tensions. Recent events have demonstrated the urgent need for modernization of the Vienna Document to

ensure that it is equipped to meet our modern challenges. But political will is also required to ensure its reciprocal benefits are realized for all.

We look forward to working with Poland as OSCE Chairmanship in the coming year, and with North Macedonia in 2023. We welcome the decision this week that Finland will chair the Organization in 2025, as befitting the 50th anniversary of the Helsinki Final Act, and we have full confidence in our Finnish friends to ably chair this Organization. We are, however, deeply troubled that Estonia's offer to chair the Organization in 2024 is being delayed due to the objection of Russia and Belarus due to purely bilateral disagreements.

Madam Chairperson,

In closing, Canada would like to sincerely thank you and the entire Swedish Chairpersonship for your efforts this year. It has not been an easy year, but you have approached your duty as Chairperson-in-Office with resolve, determination, dignity, and a well-needed dose of creativity, and for that you have our very sincere thanks.

I would ask that this statement be attached to the journal of the day. Thank you.

**STATEMENT BY
THE DELEGATION OF THE RUSSIAN FEDERATION
(ALSO ON BEHALF OF ARMENIA, BELARUS, KAZAKHSTAN,
KYRGYZSTAN AND TAJIKISTAN)**

(Annex 11 to MC(28) Journal of 2 and 3 December 2021)

We, the Ministers for Foreign Affairs of Armenia, Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan, are deeply concerned about the terrorist attacks that have taken place in the OSCE area and beyond; we offer our heartfelt condolences to the victims' families and also to the people and governments that have been targeted. We express our serious concern over the growing use of the Internet for terrorist purposes, including the live-streaming of terrorist attacks.

We emphasize that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed.

We reiterate our commitment to remaining united in the global fight against terrorism, while recognizing the central and co-ordinating role of the United Nations in this regard. We reaffirm that States should play the key role in preventing and combating terrorism in accordance with the Charter of the United Nations. We reiterate our commitment to the full implementation of the United Nations Global Counter-Terrorism Strategy while fully respecting human rights, fundamental freedoms and the rule of law.

The OSCE has amassed a robust set of political commitments on combating terrorism, notably those contained in Ministerial Council Decision No. 3/04 on combating the use of the Internet for terrorist purposes, Ministerial Council Decision No. 7/06 on countering the use of the Internet for terrorist purposes and Ministerial Council Decision No. 5/07 on public-private partnerships in countering terrorism.

We welcome the United Nations Security Council document entitled "Comprehensive international framework to counter terrorist narratives" (S/2017/375, annex) and call upon the participating States to follow the guidelines and best practices contained therein.

To improve the effectiveness of relevant efforts, it is essential to have strategies in place for preventing and combating terrorism, including partnerships between stakeholders at all levels, notably co-ordination among public authorities and co-operation between States, international and regional organizations, the private sector, civil society, academia and the media.

The work on enhancing advanced methods and tools for combating terrorism must be continued. In this regard, we acknowledge the importance of decryption as an effective tool that can be used by the law enforcement authorities to counter terrorism. We note the initiatives by the Member States of the Collective Security Treaty Organization (CSTO), which can contribute to efforts to combat terrorism and to continued co-operation among the participating States.

We note with concern that terrorists craft ideas based on the misinterpretation and misrepresentation of religion to justify violence that are used to recruit new supporters and foreign terrorist fighters and mobilize resources, in particular by exploiting information and communication technologies, not least through the Internet and social media.

We express our concern over the spread – via the Internet, among other means – of hate speech and ideas inciting violence and feeding terrorism. It is essential to step up efforts to foster information literacy, particularly among young people, so as to prevent and counter hate propaganda and terrorist narratives.

We note that the COVID-19 pandemic constitutes an unprecedented global challenge for all the OSCE participating States and Partners for Co-operation, and that it is having an impact on common security in the OSCE area, not least in the context of terrorist threats.

We are convinced that the OSCE executive structures should continue to support the participating States in the implementation of their international obligations related to preventing and combating terrorism.

The CSTO Member States are in favour of developing co-operation with the OSCE on questions of mutual interest with a view to strengthening the international anti-terrorist front.

Thank you for your attention.

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

**STATEMENT BY
THE DELEGATION OF BELGIUM
(ALSO ON BEHALF OF ALBANIA, ANDORRA,
ARMENIA, AUSTRIA, BOSNIA AND HERZEGOVINA, BULGARIA,
CANADA, CROATIA, CYPRUS, THE CZECH REPUBLIC, DENMARK,
ESTONIA, FINLAND, FRANCE, GEORGIA, GERMANY, GREECE,
HUNGARY, ICELAND, IRELAND, ITALY, KAZAKHSTAN,
KYRGYZSTAN, LATVIA, LIECHTENSTEIN, LITHUANIA,
LUXEMBOURG, MALTA, MOLDOVA, MONACO, MONGOLIA,
MONTENEGRO, THE NETHERLANDS, NORTH MACEDONIA,
NORWAY, POLAND, PORTUGAL, ROMANIA, SAN MARINO,
SERBIA, SLOVAKIA, SLOVENIA, SPAIN, SWEDEN, SWITZERLAND,
TAJIKISTAN, TURKEY, TURKMENISTAN, UKRAINE,
THE UNITED KINGDOM, THE UNITED STATES OF AMERICA
AND UZBEKISTAN)**

(Annex 12 to MC(28) Journal of 2 and 3 December 2021)

I have the honour to make this statement on behalf of the following 53 participating States: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Mongolia, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, the United Kingdom, the United States of America and Uzbekistan, as well as the European Union.

We reiterate our commitment to the women, peace and security agenda as a cornerstone in achieving comprehensive and sustainable peace and security in the OSCE area, and strongly believe that the full, equal and meaningful participation of women, including at all levels of decision-making and leadership, in all efforts for the maintenance and promotion of peace and security, as well as the promotion of women's and girls' safety from violence in conflict and crises, are fundamental for building strong, resilient, democratic and peaceful societies.

We acknowledge the key role of the OSCE, as a regional security organization under Chapter VIII of the Charter of the United Nations, in implementing different United Nations Security Council resolutions in its region, including the full and effective implementation of the women, peace and security agenda. The OSCE's unique concept of comprehensive security covers several elements of the women, peace and security agenda and provides a very suitable setting for full and effective implementation of the women, peace and security commitments on a range of levels, from the political to the very practical.

Although gaps remain to be bridged, we recognize the work done and progress made regarding the women, peace and security agenda since the adoption of United Nations Security Council resolution 1325 and its subsequent resolutions, including through the 2004 OSCE Action Plan for the Promotion of Gender Equality, and remain devoted to our

commitment to enhance co-ordination of efforts at national, subregional, and regional levels in order to promote and strengthen the implementation of the women, peace and security agenda in the OSCE area.

We recall our commitment to the OSCE's comprehensive concept of security, of which an integrated gender perspective is an integral part, in addressing current as well as new threats and challenges in the OSCE area. We reaffirm the OSCE's commitment to gender mainstreaming, with the goal of achieving gender equality, full and effective implementation of the women, peace and security agenda, and of the 2004 OSCE Action Plan for the Promotion of Gender Equality.

We reaffirm the importance of a whole-of-OSCE approach in implementing the women, peace and security agenda. The Secretariat and OSCE executive structures, the field operations, the autonomous institutions, the Chairpersonship and OSCE Parliamentary Assembly all have a vital role in ensuring its realization, as do participating States and partners.

An important and strong instrument in this regard is the OSCE toolkit on "Inclusion of women and effective peace processes". With this in mind, we would welcome an assessment of the impact and use of the OSCE toolkit to date, in order to further strengthen our efforts based on these results and continue to foster the inclusion and empowerment of women in peaceful resolution of conflicts, as it is one of the most effective way to achieve stability and sustainable peace.

IV. REPORTS TO THE MINISTERIAL COUNCIL

REPORT BY
THE SECRETARY GENERAL TO THE TWENTY-EIGHTH MEETING
OF THE OSCE MINISTERIAL COUNCIL

(MC.GAL/5/21/Corr.1 of 3 December 2021)

Madam Chairperson,
Madam President of the Parliamentary Assembly,
Excellencies,
Dear colleagues,

It is a pleasure to be here in Stockholm, meeting in person once again.

This is my first report to the Ministerial Council as Secretary General, and I would like to break with orthodoxy.

Because all too often speeches about the OSCE complain about the state of co-operation in our region.

The lack of dialogue. The growing mistrust.

And that is all true. The situation is not good. And we are less secure as a result.

But you don't need me to tell you that.

What frustrates me is that sometimes those complaints infer that the OSCE is ineffective or faltering.

Now, I completely understand why you and your representatives may feel that way.

Seeing confrontation chosen over pragmatic co-operation.

Putting gargantuan efforts into negotiations, for minimal returns.

Sitting through repetitive exchanges of statements every week.

Dealing with politicization of the simplest, most fundamental tasks – from the agreement of dates for meetings, to the adoption of our budget.

I can only imagine what your reports from Vienna are like.

But I do not feel the same way about this Organization.

I have no ambivalence one year in.

Because I have the privilege to see, to read and to hear – on a daily basis – about the remarkable human impact this Organization and its activities have.

While dialogue may be stuttering, OSCE staff are getting on with their job.

They are implementing activities – as you have mandated – that deliver benefits for millions of your people.

So I want to dedicate my few minutes here today to their exceptional work.

And let me just give you a few standout examples.

I'll begin in Ukraine, where all of you will know about our Special Monitoring Mission to Ukraine (SMM).

They don't just observe and report.

This year they have facilitated roughly 800 localized ceasefires. These have allowed for essential repairs of 94 infrastructure sites, on both sides of the contact line. Those repairs have ensured electricity, water, gas and communications for over five million people.

But the wider picture is unfortunately deeply troubling, and warrants attention.

Our Mission continues to face constant impediments. Unmanned aerial vehicles are jammed and even shot at. Monitors' movement is increasingly constrained.

This prevents the Mission providing the impartial reporting we demand from it. It hinders the Mission to facilitate the vital activities for the benefit of the people on both sides of the contact line.

These restrictions have to stop.

Ongoing freedom of movement restrictions of civilians also are turning the contact line into a dividing line. Crossings are down 95 per cent compared to 2019.

The SMM just issued a report on the enormous challenges faced by those wanting to cross. It hits people's daily lives. They cannot visit family, they cannot access pensions, documentation, education healthcare, or just go to their jobs.

It also undermines the prospects for longer-term reintegration.

Dear colleagues,

Looking elsewhere in our region:

In Kyrgyzstan, we have removed all melange, a toxic rocket fuel component which posed a major risk to human and environmental security.

Over 150 tonnes were removed from deteriorated reservoirs, eliminating a risk to the local community of 21,000 people.

I am glad that later today we will discuss the implications of the situation in Afghanistan for security in our region.

We have presented a food-for-thought paper with some initial ideas. It affects our Central Asian participating States disproportionately, but impacts the entire OSCE area.

In Tajikistan, we have trained border guards and rescuers to improve border security and deal with natural disasters, in addition to the 4,000 people trained by our Border Management Staff College since its establishment.

In Albania, our new work to recover and reuse the proceeds of crime is delivering results.

A premises previously used by an organized crime group was seized and returned to the community, now acting as a workshop employing disadvantaged women.

We will multiply this kind of work across South-Eastern Europe next year.

Visiting Georgia, I was also delighted to address participants of the 100th meeting of the Incident Prevention and Response Mechanism in June in Ergneti.

Since 2009, the mechanism has addressed various security and humanitarian issues, as crucial part of the architecture of the Geneva International Discussions.

And it has helped resolve several practical challenges faced by the conflict-affected population – from detention cases, to irrigation, farmland use, to accessing information on the pandemic.

We have delivered numerous pioneering simulation exercises on combating trafficking in human beings.

This is part of our work to tackle an unacceptable culture of impunity, where for every 2,200 trafficking victims, there is just one prosecution.

And we are working hard to tackle demand – stepping up work with partners to help prevent forced labour in supply chains.

We have been championing women's economic empowerment across the OSCE area.

In Uzbekistan, for example, we worked with a start-up that helps female-owned small businesses operate online and sell to their neighbourhoods.

2021 was also a year of climate action, the OSCE was no exception here.

We identified 42 climate hotspots in our region where climate impacts might fuel instability.

Most of these hotspots are transboundary, they require joint regional responses – like our work in the Shar mountains spanning Albania, Kosovo and North Macedonia, to our activities on wildfire management in the South Caucasus.

And I am sure each of the heads of OSCE institutions could reel off their own examples just as easily.

Teresa Ribeiro and the Representative on Freedom of the Media's monitoring of media developments and staunch support for freedom of expression, free media and safety of journalists.

Kairat Abdrakhmanov and the High Commissioner on National Minorities' discreet diplomacy on national minorities, reinforcing our conflict prevention.

Matteo Mecacci and the Office for Democratic Institutions and Human Rights' work to promote and stand up for human rights, democracy and the rule of law – often imperilled in our region.

And I am saying this because security is never ever one-dimensional.

So we are all committed to work hand-in-hand, taking a “whole-of-OSCE” approach.

Also alongside the Parliamentary Assembly, whose work to project OSCE principles and commitments is crucial, also for raising OSCE visibility. Grateful for the work of Roberto Montella.

Dear colleagues,

All of this – and so much more – gets delivered on a budget which, to borrow the words of one of you, who replied to my letter, remains rather humble compared to other international organizations'.

For roughly 140 million euros, you get the Secretariat, 3 specialized institutions and 14 field operations, excluding the SMM.

You get an Organization which delivers on a mandate broader than any other regional security body – stretching from arms control to free media.

You get over 350 projects and 2,700 expert staff – not including the additional 1,300 who work for the SMM, Special Monitoring Mission, or our 230 additional extrabudgetary projects.

You get all this for around 20 cents per citizen per year.

Last night over dinner, some spoke of the need for a stable budget, timely adoption and also the need for budget reform.

We cannot sustain another year of zero nominal growth.

We need the resources to do good on the ground.

And there is much, much more that this Organization can do, if equipped to do so, in particular our excellent field operations.

I remain committed to do my own small part internally to ensure we are lean, agile and ready to do so.

In my hearing prior to my appointment, I pledged to prioritize effective and efficient management as Secretary General.

And I have endeavoured to do just that.

Within the Secretariat, I have initiated a Functional Review to look into our processes, our structures, our systems and to address gaps.

Its aim is to analyse and align our functions and resources in a better way.

So we make the most out of your contributions and that we deliver in the most efficient manner.

This process is already well underway. Its initial findings will be presented in the first half of 2022, followed by a thorough implementation phase.

I am also modernizing many of our internal policies, including on results-based management and evaluation – to ensure we focus on impact.

This week I joined a staff meeting evaluating our adaptation to the COVID-19 pandemic.

We were the first to conduct such a comprehensive exercise among regional and international organizations, seeking to learn lessons and maintain some of the positive innovations.

And let me say that I am proud of OSCE staff for their excellent work under challenging circumstances, particularly in relation to COVID-19.

Work is also advancing to ensure a professional and ethical workplace culture, in line with international best practices.

And I remain a staunch champion of equal opportunities and diversity across the OSCE executive structures – because a diverse team that produces the best results.

But, dear colleagues, my work is only one part.

How we evolve is really down to you, and your shared will.

Last week, the Finnish President spoke on how we could recapture the Helsinki Spirit.

As he said, the Helsinki Spirit is more than an event. It is more than a set of structures.

It is a set of fundamental principles, uniting us, including our Asian and Mediterranean Partners, and not open to interpretation or negotiation.

The vision of Helsinki and Paris, and the work of Astana may not yet have unfolded as was expected or hoped back then. Yet the fundamental principles of dialogue and co-operation over confrontation continue to reign supreme.

The OSCE executive structures are designed and there to promote that.

We are the best placed – the most inclusive and broadly mandated – regional platform to do that.

So please use us.

Support us.

Empower us.

So that we escape the current malaise and this Organization can play a larger part in bringing us back together.

Thank you.

**LETTER FROM
THE CHAIRPERSON OF THE FORUM FOR SECURITY
CO-OPERATION TO THE MINISTER FOR FOREIGN AFFAIRS OF
SWEDEN, CHAIRPERSON OF THE TWENTY-EIGHTH MEETING OF
THE MINISTERIAL COUNCIL OF THE OSCE**

(Annex 15 to MC(28) Journal of 2 and 3 December 2021)

As Chairperson of the Forum for Security Co-operation (FSC), it is my pleasure to inform you about the Forum's activities in 2021.

In preparing this letter, I have consulted with the previous 2021 FSC Chairmanships, namely, the United States of America and Armenia. During 2021, the FSC Chairmanships worked in close co-operation to ensure continuity and efficiency in the implementation of the Forum's annual work programme.

Several initiatives undertaken by participating States led to the adoption of six decisions, all designed to support the implementation of existing politico-military commitments.

This year has continued to present extraordinary challenges, as dealing with COVID-19 and has continuously tested the FSC's conduct of work. In their responses to the crisis, the FSC Chairmanships, in close co-ordination with the Chairmanship of the Permanent Council and the OSCE Secretariat, have maintained continuity in the FSC's work while following the host country's preventive measures and prioritizing our duty of care for delegates and Secretariat staff. By closely following the evolving developments of the COVID-19 situation, the FSC Chairmanships provided guidance on modalities of the FSC's work. With the invaluable support of the OSCE Secretariat, all scheduled FSC meetings and those of the working groups, as well as a range of informal meetings were conducted either in a blended format or remotely via teleconference. While recalling politico-military commitments and their relevance in times of crisis, the FSC Chairmanships continuously highlighted the importance of co-operation and unity amongst participating States. Indeed, following the summer recess, many participating States resumed verification activities, fostering confidence- and security-building through the conduct of Vienna Document 2011 inspections and contact visits.

Under the FSC Chairmanship of the United States of America, the ninth High-Level Military Doctrine Seminar (HLMDS) took place online in February 2021. Held periodically in accordance with the Vienna Document 2011, this event provided an important opportunity for high-level military personnel to meet, exchange strategic assessments on doctrine and discuss trends in the first dimension and cross-dimensional risks and challenges, thus contributing to strengthening the common security of all OSCE participating States.

The thirty-first Annual Implementation Assessment Meeting (AIAM) took place in March 2021, also during the FSC Chairmanship of the United States of America. Led by Mongolia and Montenegro, this meeting provided an opportunity for delegations to raise and discuss various issues related to the present and future implementation of agreed confidence- and security-building measures (CSBMs). The discussions at the AIAM resulted

in a number of suggestions on how the current CSBMs could be implemented more effectively or improved in the future.

To facilitate the discussion on Vienna Document 2011 modernization, the United States of America's FSC Chairmanship held a Security Dialogue on this important topic. The United States of America's FSC Chairmanship also dedicated a Security Dialogue to the topic of confidence-building amid strategic ambiguity. The Armenian FSC Chairmanship organized Security Dialogues on modern warfare and emerging technologies, arms control and CSBMs, and transparency in military exercises and activities. Under the auspices of the Austrian FSC Chairmanship, three Security Dialogues were held on the 1996 OSCE Framework for Arms Control: past, present and future of conventional arms control, followed by a side event in September 2021, contributing to the thematic focus on conventional arms control with academic experts presenting their respective studies. Furthermore, a special FSC meeting on the Vienna Document reissuance (paragraph 152) was held under the Austrian FSC Chairmanship in October 2021.

The FSC also contributed to the 2021 Annual Security Review Conference within its mandate, providing inputs to relevant sessions and focusing on politico-military elements, including challenges and opportunities related to conventional arms control and CSBMs.

The situation in and around Ukraine continued to be a dominant topic of discussion in the Forum. In April 2021, the Vienna Document 2011, Chapter III, on "Risk reduction", specifically the mechanism for consultation and co-operation as regards unusual military activities, was invoked to discuss security concerns. Following consultations to discuss the matter in question, a special joint meeting of the FSC and the Permanent Council was convened, during which the situation was assessed. The delegations in attendance focused on measures to stabilize the situation and halt activities giving rise to concern.

The goal-oriented discussions during the security dialogues indicated the FSC's importance as a platform for dialogue, addressing security issues of common interest and concern.

There were a variety of active discussions, on the following themes: normative and project-related aspects in the field of small arms and light weapons (SALW) and stockpiles of conventional ammunition (SCA); the OSCE Code of Conduct on Politico-Military Aspects of Security and international humanitarian law; regional security issues and co-operation; implementation of United Nations Security Council resolution 1540 (2004); the Vienna Document 2011 on CSBMs; the implementation of the women, peace and security agenda; matters related to countering terrorism; conventional arms control and CSBMs; as well as doctrine and military-to-military contacts. In total, the three 2021 FSC Chairmanships organized a total of 20 Security Dialogues.

Four Security Dialogues and many informal meetings were devoted to SALW and SCA, as tasked by the relevant OSCE documents and various relevant FSC and Ministerial Council decisions. Under the FSC Chairmanship of the United States of America, two Security Dialogues were held on SALW, one related to man-portable air defence systems (MANPADS) and another on explosive hazards in Central Asia.

Furthermore, a new initiative regarding the application of the assistance mechanism under the OSCE Documents on SALW and SCA, aimed at improving the effectiveness and

outcomes of SALW and SCA projects, has been initiated. The Austrian FSC Chairmanship dedicated a Security Dialogue to ongoing initiatives in this field and organized a demonstration of practical aspects of implementation the assistance mechanism under the OSCE Documents on SALW and SCA with a focus on protecting the civilian population and mitigating the risk of environmental damage. Under Armenia's FSC Chairmanship, a dialogue was held on SALW and SCA practical assistance mechanisms. The OSCE Meeting to Review the Implementation of OSCE Assistance Projects in the Field of SALW and SCA was held under the Austrian FSC Chairmanship in October 2021.

Throughout the year, the comprehensive review and update of the OSCE Best Practice Guides (BPGs) on SALW and conventional ammunition continued, with a number of updated drafts submitted for consideration by FSC Working Group A. An updated Best Practice Guide on National Procedures for the Destruction of SALW was adopted in June 2021 providing general guidelines and procedures for the destruction of SALW from the time of identification for destruction until the final disposal of scrap material.

The work on reviewing and updating the BPGs and new initiatives goes hand in hand with, and is complementary to, the important activities being carried out under the OSCE's assistance projects on SALW and SCA. These projects support the participating States in fulfilling their commitments under the OSCE Documents on SALW and SCA. The OSCE assistance projects address a wide range of security and safety risks stemming from, *inter alia*, the presence of conventional ammunition, explosive material, detonating devices and highly toxic rocket fuel components; degraded physical infrastructure and poor stockpile management and security practices; the presence of explosive remnants of war and landmines; and illicit trafficking in SALW.

The OSCE currently works on 20 SALW- and SCA-related assistance projects worth over 40 million euros. Several projects are aimed at ensuring the secure and safe management of stockpiles of SALW and conventional ammunition through infrastructure, material, equipment upgrades at storage sites and chemical analysis laboratories for ammunition surveillance, as well as capacity-building efforts aimed at combating illicit trafficking in SALW. Most recently, thanks to OSCE efforts, the remainder of the melange rocket fuel component was removed from Kyrgyzstan, eliminating a major threat to human and environmental security.

Facilitating the implementation of the Code of Conduct on Politico-Military Aspects of Security, the Armenian FSC Chairmanship held a Security Dialogue on compliance with international humanitarian law, whereas the Austrian FSC Chairmanship organized a dialogue on the Code of Conduct, with a particular emphasis on the integration of women in armed forces. Furthermore, the tenth Annual Discussion on the Implementation of the Code of Conduct on Politico-Military Aspects of Security was held online in June 2021 under the Armenian FSC Chairmanship. This meeting provided a valuable opportunity for participating States to exchange views on ways of further improving the Code's implementation. In October, a visit on the Code of Conduct was organized in Sweden, focused on actions taken within the Swedish armed forces to safeguard the full and equal participation of women in uniform.

Two Security Dialogues were held with a view to promoting regional stability and comprehensive and co-operative security. The United States of America's FSC Chairmanship convened a security dialogue on NATO's enhanced Forward Presence. The FSC

Chairmanship of Armenia held a Security Dialogue on regional security co-operation within the Collective Security Treaty Organization (CSTO).

Another topic addressed during the year was the non-proliferation of weapons of mass destruction and United Nations Security Council resolution 1540. One Security Dialogue under the Armenian FSC Chairmanship discussed the co-ordination of activities and explored ways of enhancing collaboration between the UNSCR 1540 Committee and the OSCE.

The FSC Chairmanships devoted a total of two Security Dialogues and one joint meeting of the FSC and the Permanent Council focusing on the topic of gender equality. During the United States of America's Chairmanship a joint meeting of the Forum for Security Co-operation and Permanent Council on implementation of United Nations Security Council resolution 1325 was held. The Armenian FSC Chairmanship held a Security Dialogue on full, equal and meaningful participation of women in security and armed forces. Later in the year, the Austrian FSC Chairmanship chose to discuss the Code of Conduct, with a particular emphasis on the integration of women in armed forces. Moreover, the Austrian FSC Chairmanship mainstreamed gender issues in all of its Security Dialogues.

In 2021, on average 27 per cent women and 73 per cent men participated in the FSC-related meetings (FSC plenaries, the HLMDs, the AIAM, the Code of Conduct Regional Seminar, and the OSCE Meeting to Review the Implementation of OSCE Assistance Projects in the Field of SALW and SCA). Further, the meetings of the Informal Group of Friends on SALW and SCA were attended on average by 75 per cent men and 25 per cent women. The participation at the SALW and SCA expert meetings was 64 per cent men and 36 per cent women, which was the highest women participation at SALW- and SCA-related meetings.

All three FSC Chairmanships co-operated closely with the Swedish OSCE Chairpersonship and the Permanent Council on cross-dimensional issues of relevance to both bodies in line with the OSCE's concept of comprehensive and indivisible security. To this end, three joint meetings of the Forum for Security Co-operation and Permanent Council were held on the topics of United Nations Security Council resolution 1325, countering terrorism, and on the Structured Dialogue.

As a final note, the FSC Chairmanships commend the work of the Conflict Prevention Centre in developing e-learning modules covering FSC-related topics, which are aimed at systematizing the transfer of knowledge on, *inter alia*, the FSC, Vienna Document 2011 on CSBMs, SALW and SCA, conventional arms control, and the Code of Conduct on Politico-Military Aspects of Security. This excellent resource is available for delegates of participating States in Vienna, national focal points in their capitals, and staff of verification centres.

In conclusion, over the past year the FSC continued to serve as an important platform for dialogue and decision-making in the first dimension, providing participating States with a forum to discuss a wide range of politico-military issues. Despite COVID-19, the FSC proved successful in continuing taking measures to adapt to the current situation and maintaining its rigorous work programme under demanding circumstances.

REPORT BY
THE CHAIRPERSON OF THE OSCE ASIAN PARTNERS FOR
CO-OPERATION GROUP TO THE TWENTY-EIGHTH MEETING OF
THE OSCE MINISTERIAL COUNCIL

(MC.GAL/7/21 of 17 December 2021)

As holder of the 2021 Chairmanship of the OSCE Asian Partners for Co-operation Group, Albania worked on further strengthening the mutual relationship and building closer co-operation aimed at an increased role of the Partners, all in compliance with the 2020 Tirana Ministerial Council Declaration on Co-operation with the OSCE Asian Partners (MC.DOC/2/20). The Group's rolling schedule contained a rich calendar of events, on which it consulted closely with the Swedish OSCE Chairmanship and the Asian Partners. It followed a demand-driven approach to promoting the extensive discussion of topics and issues of common interest, and to advancing joint efforts to achieve comprehensive security both within and beyond the OSCE area.

In 2021, owing to the continued COVID-19 travel and meeting restrictions, all the Group's meetings were conducted in a blended format. Nonetheless, they provided a valuable platform for information exchange, dialogue and sharing of best practices between the OSCE participating States and the Asian Partners, featuring at least one speaker from one of the Asian Partner countries as well as presentations on the chosen topics by experts from international organizations, diplomats, academia and civil society.

The first meeting of the Asian Partners for Co-operation Group, held on 26 March 2021, dealt with "Diplomacy for common value: Importance of the promotion of good governance, the rule of law and economic co-operation" and was organized in partnership with Japan. H.E. Ambassador I. Hasani, Permanent Representative of Albania to the International Organizations in Vienna and Chairperson of the OSCE Asian Partners for Co-operation Group, emphasized that the meeting provided a valuable opportunity to share experiences and lessons learned, as security in Europe was inextricably linked to security in the Asian-Pacific. H.E. Ambassador U. Funered, Chairperson of the OSCE Permanent Council and Permanent Representative of Sweden to the OSCE, elaborated on the priorities of Sweden's 2021 OSCE Chairmanship by focusing on common principles and joint commitments in line with the OSCE's concept of comprehensive security, including democratic principles, gender equality and conflict resolution. H.E. Ambassador A. Mizutani, Permanent Representative of Japan, noted the continued relevance of joint principles and values, particularly with view to good governance, the rule of law and economic co-operation, and reiterated the crucial relevance of a strengthened co-operation between the OSCE participating States and the Asian Partners amidst the ongoing COVID-19 pandemic. Speaking on behalf of OSCE Secretary General H.E. Ms. H. M. Schmid, H.E. Mr. L. Fratini, Director of the Office of the OSCE Secretary General, underlined that the OSCE would consult closely with the 2021 Albanian Chairmanship on the basis of the 2020 Ministerial Declaration in order to further develop concrete steps towards a more substantive dialogue and co-operation with the Asian Partners. Good governance issues related to post-COVID-19 recovery were relevant, ranging from promoting connectivity through trade and transport to enhancing women's participation in decision-making processes. Mr. S. Yoshitake, Director of the European Policy Division, Ministry of Foreign Affairs, Japan, presented Japan's efforts in promoting a "Free and open Indo-Pacific", which were based on three goals: first, to promote fundamental values and principles; second, to pursue economic growth; and third, to

strengthen maritime security. Mr. M. Murano, Japan Chair Fellow, Hudson Institute, commented on the security environment in the Indo-Pacific region, noting that sweeping and unlawful maritime claims represented a challenge to the global security. Ms. Z. Markovic, Regional Anti-Corruption Adviser, Corruption and Economic Crime Branch, United Nations Office on Drugs and Crime (UNODC), presented the work of the UNODC in the areas of good governance and transparency with a special focus on the Asia-Pacific region and concluded by stating that despite their different mandates, it was necessary for the UNODC and the Asian Partners for Co-operation Group to continue to work together in order to achieve significant changes. Following the thematic discussion, several delegations delivered statements, commending the speakers and noting that regional and international co-operation were key to addressing global challenges, as security in the Asia-Pacific region directly affected the comprehensive security of the OSCE area.

On 12 March, the Action against Terrorism Unit of the Transnational Threats Department, OSCE Secretariat, organized a webinar on “Terrorist use of the Internet: designation of illicit content online and gaps in regulatory frameworks” with the support of the Albanian Chairmanship and the OSCE External Co-operation Section. Over 180 participants, experts and high-level officials from all over the OSCE area took part in this online event, which aimed to build on the OSCE roundtable discussion on “Leveraging innovation and technology to address 21st-century security challenges and crises across the OSCE and Asian Partners for Co-operation” held in November 2020.

On 27 and 28 April, an international “e-roundtable discussion on combating technology-facilitated trafficking in human beings in Central Asia and across the OSCE Asian Partners for Co-operation” was held, featuring opening remarks by Mr. V. Richey, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, and H.E. Ambassador I. Hasani. The two-day virtual gathering brought together more than 160 participants representing governments, international organizations, academic institutions, and NGOs.

The second meeting of the Asian Partners for Co-operation Group, dedicated to “Addressing non-traditional security challenges through exchange of regional experiences”, took place on 4 June and was organized in partnership with Australia. It was opened by H.E. Ambassador I. Hasani, who in his opening remarks noted that security in the OSCE area was closely linked with security in the Asia-Pacific region. Co-operation between the participating States and the Asian Partners was based on two factors: the wish to share and learn from each other’s experiences, and the prospect of mutual gains for all parties involved. H.E. R. Sadleir, Ambassador of Australia to the Republic of Austria and Permanent Representative to the International Organizations in Vienna, focused on competition between the great powers in the Indo-Pacific region, which had resulted in coercive activities posing threats to the sovereignty of individual countries. In order to maintain the rule of law, regional organizations needed to build greater resilience to coercive statecraft. Mr. R. Medcalf, Head, National Security College, Australian National University, focused on Australia’s experience with grey-zone coercion, indicating that lessons learned in the Indo-Pacific region constituted a strong incentive to develop a shared playbook to address coercion activities elsewhere. H.E. Ambassador N. Bush, Head of the Delegation of the United Kingdom to the OSCE and Chairperson of the Security Committee, noted that in the light of the COVID-19 pandemic, the challenges posed by transnational organized crime were formidable and that an inclusive and gender-based approach must be adopted to address them. H.E. Ambassador K. Dán, Permanent Representative of Hungary to the OSCE, the UN

and other International Organizations in Vienna and Chairperson of the Informal Working Group established pursuant to Permanent Council Decision No. 1039, focused on the importance of platforms for regular information exchange, noting that the Inter-regional Conference regularly organized by the Republic of Korea was a good example of such a platform. H.E. Ms. A. Kupchyna, Co-ordinator of Activities to Address Transnational Threats, OSCE Transnational Threats Department, stated that addressing transnational organized crime required a comprehensive and co-ordinated response on the part of many actors. In the area of countering transnational organized crime, the OSCE worked with the participating States, focusing on financial crimes and promoting effective application of asset seizure. The OSCE was facilitating the first transnational organized crime assessment and was continuing to promote analysis and research to help participating States adopt the most effective measures possible. Mr. G. Nano, Director of the Anti-Terror Directorate of the Albanian State Police, focused on Albania's efforts in combating terrorism and the phenomenon of foreign terrorist fighters, drawing attention to the country's Anti-Terrorism, Organized Crime/Illegal Traffic Strategy and Action Plan 2013–2016 approved in 2013. After the thematic discussion, a number of delegations delivered statements, commending the speakers and sharing their countries' best practices on combating transnational organized crime.

On 22 and 23 June, the 3rd Inter-Regional Conference on Cyber/ICT Security looked into how international co-operation can lead to a more stable, predictable and safe cyberspace. Held in Vienna in a virtual setting with the participation of 280 governmental and non-State representatives, the event was organized by the Ministry of Foreign Affairs of the Republic of Korea with the support of the OSCE Secretariat. The event was opened by H.E. Mr. J. Bae, Ambassador for International Security Affairs of the Ministry of Foreign Affairs of the Republic of Korea, H.E. Ms. A. Kupchyna, H.E. Ambassador I. Hasani and H.E. Ambassador K. Dán.

The third meeting of the Asian Partners for Co-operation Group was held on 2 July and was organized in partnership with Thailand on the subject of "Empowering women leadership during global health emergencies". H.E. Ambassador I. Hasani opened the meeting, noting the COVID-19 pandemic was having a variable impact throughout the world, with women suffering particularly severely from the negative consequences. He underlined the importance of taking concrete action by including women's voices on an equal basis in decision-making processes. Women's participation was necessary at every level, from national crisis committees to local communities. H.E. Ambassador M. Sriswasdi, Ambassador and Permanent Representative of Thailand to the United Nations and other International Organizations in Vienna, also observed that the COVID-19 pandemic had a wide-ranging impact on everyone's life, with women and vulnerable groups being disproportionately affected in addition to losing income and performing unpaid care work. H.E. Mr. T. A. Ghebreyesus, Director General, World Health Organization (WHO), emphasized the importance of stepping up the pace in promoting women in leadership positions during global health emergencies. Despite the ample evidence of health systems functioning better with women having an equal say, on average a women held only a limited number of leadership positions in healthcare. OSCE Secretary General H.E. Ms. H. M. Schmid recalled the Tirana Declaration on Co-operation with the OSCE Asian Partners, which provided a clear framework for continuing to strengthen political dialogue and co-operation. The leadership style of women in the COVID-19 response, she observed, had been described as more collective than individual, more collaborative than competitive, and more coaching than commanding. Unfortunately, an analysis in 87 countries

found that overall only 3.5 per cent of COVID-19 experts and decision-making task forces had gender parity in their membership. The first speaker in the thematic discussion, Ms. A. Srirangson, Director of Bangkok Mental Health Rehabilitation and Recovery Centre (BMRC) at Bangkok Hospital and Deputy Spokesperson of the Thailand Centre for COVID-19 Situation Administration (CCSA), presented the work of the CCSA and Thailand's response in the fight against COVID-19. Complementing the presentation by Ms. Srirangson, Ms. S. Hinjoy, Director of the Office of International Co-operation at the Department of Disease Control, Ministry of Public Health of Thailand, shared concrete examples on how the government involved women in tracking local COVID-19 transmission and took necessary measures to deal with the crisis at the community level. Mr. M. Naciri, Regional Director for Asia and the Pacific, UN Women, noted that the pandemic had brought attention to the vital contribution and positive outcomes not only of including women in the response and recovery efforts but also of empowering women as leaders to respond to global health emergencies. However, while women had been at the centre of the pandemic response, occupying crucial positions as educators, frontline health workers and care providers, they remained significantly underrepresented in leadership positions.

H.E. Ambassador U. Funered focused on women's economic empowerment, a key priority of the Swedish OSCE Chairpersonship, and noted the necessity of fully implementing the women, peace and security agenda. Following the thematic discussion, several delegations delivered statements.

On 23 July, in response to the deteriorating security situation in Afghanistan, the Albanian Chairmanship organized a special meeting of the Asian Partners for Co-operation Group focusing on "Regional implications of the evolving security situation in Afghanistan". In his opening remarks, H.E. Ambassador I. Hasani stated that terrorism continued to pose a serious threat to security and stability across the wider region. It was therefore necessary to continue to increase international co-operation and strengthen the OSCE's engagement across all three dimensions in relation to Afghanistan. H.E. Ambassador M. Bakhtari, Permanent Representative of the Islamic Republic of Afghanistan to the OSCE, welcomed the strong commitment to and support for Afghanistan and emphasized that sustainable peace could not be achieved without the inclusion and participation of women in decision-making. OSCE Secretary General Ms. H. M. Schmid noted that intensified fighting in the months ahead could sharply increase the risk of a humanitarian crisis in very close proximity to the OSCE area. She underlined the importance of continuing to engage with Afghanistan through the programmatic work of the Central Asian field operations, within their mandates. Speaking on empowering women in Afghanistan, she referred to the Dushanbe Declaration adopted at the 9th Ministerial Conference of the Heart of Asia-Istanbul Process, in which women's empowerment was endorsed as a confidence-building measure for the first time. The first speaker of the thematic discussion, Mr. M. Nab, Deputy Minister for Political Affairs, Ministry of Foreign Affairs, Islamic Republic of Afghanistan, reiterated that Afghanistan's top priority was to reach a political settlement with the Taliban. Without international support, any peace agreement between the Afghan government and the Taliban would fall apart as soon as it reached the implementation phase. Mr. R. Alakbarov, UN Deputy Special Representative, Resident and Humanitarian Co-ordinator for Afghanistan, noted that half of the Afghan population, around 18 million people, were in dire need of humanitarian assistance. Despite circumstances, 155 humanitarian organizations were delivering assistance to Afghanistan. He emphasized the urgent need to pay attention to Afghanistan, as the situation remained critical and affected the entire region. Ms. A. Patel, Head of Protection Service at the Regional Bureau for Asia and Pacific, United Nations High Commissioner for Refugees (UNHCR), noted that the situation remained volatile, having brought about an

additional 300,000 internally displaced people this year, and in the absence of peace and development more people were likely to be forced to flee the country. Given the current environment, emergency preparedness was crucial to facilitating a rapid and scalable response, and the UNHCR was continuing to invest in stabilizing the local communities, especially in the areas of health, education and livelihoods.

The fourth meeting of the Asian Partners for Co-operation Group, which took place on 3 September, focused on “The situation in Korean peninsula” and was organized in partnership with the Republic of Korea. H.E. Ambassador I. Hasani opened the meeting. H.E. Mr. C.-H. Shin, Ambassador of the Republic of Korea to the Republic of Austria and Permanent Representative to the International Organizations in Vienna, spoke about the Korean peninsula peace process and the efforts of the government of the Republic of Korea to strengthen co-operation with the international community. H.E. Ms. H. M. Schmid, OSCE Secretary General, focused on the relevance of the OSCE and its experience in promoting security and stability on a regional level, its confidence- and security-building measures, and its principles on non-proliferation. Ms. I. Nakamitsu, UN Under-Secretary-General and High Representative for Disarmament Affairs, UN Office for Disarmament Affairs (UNODA), emphasized how both global and regional trends and also emerging technologies and weapons were particularly relevant for the Korean Peninsula and could lead to instability, generating new forms of conflict and increasing risks of unintended escalation. The first speaker of the thematic discussion, Mr. K.-S. Rim, Director General for Korean Peninsula Peace Regime Bureau, Ministry of Foreign Affairs of the Republic of Korea, drew attention to the 2018 Comprehensive Military Agreement and highlighted the Republic of Korea’s continuous efforts to bring the Democratic People’s Republic of Korea (DPRK) to the discussion table. Ms. E. K. Sokova, Executive Director, Vienna Centre for Disarmament and Non-Proliferation (VCDNP), noted that despite having signed the Panmunjom Declaration in 2018, the DPRK had in recent times continued to build up its nuclear and missile programmes, had restarted its main nuclear reactor, and had continued the production of plutonium. In line with the OSCE Secretary General, she also added that the OSCE experience in assisting the post-Soviet transition could be translated into the Korean context.

The 2021 OSCE Asian Conference on “Common responses to emerging challenges in advancing comprehensive security” was held in blended format (in Vienna and online) on 20 and 21 September. Organized in partnership with the Kingdom of Thailand, the event saw the participation of over two hundred representatives of OSCE participating States, Partners for Co-operation, NGOs, civil society, and international and regional organizations. Together, they considered the following topics: countering transnational organized crime; trans-border environmental risks and challenges such as environmental degradation, the unsustainable use of natural resources, and climate change; and the nexus between human rights and public health in the context of the COVID-19 pandemic. The opening session was co-chaired by H.E. Ambassador M. Sriswasdi, Ambassador and Permanent Representative of Thailand to the United Nations and other International Organizations in Vienna, and H.E. Ambassador I. Hasani. Opening remarks were delivered by H.E. Mr. D. Pramudwinai, Deputy Prime Minister and Minister of Foreign Affairs of the Kingdom of Thailand, H.E. Ms. O. Xhaçka, Minister for Europe and Foreign Affairs of the Republic of Albania, H.E. Ms. A. Linde, OSCE Chairperson-in-Office and Minister for Foreign Affairs of Sweden, H.E. Dato Lim Jock Hoi, Secretary General of the Association of Southeast Asian Nations (ASEAN), Mr. L. Fratini, Director of the Office of the OSCE Secretary General, and Mr. B. Winid, Head of the Task Force of the Incoming Polish OSCE Chairmanship. Closing remarks were delivered by Ms. M. Fino, Deputy Minister, Ministry for Europe and Foreign

Affairs of the Republic of Albania, and Ms. C. Chartsuwan, Director-General, Department of European Affairs, Ministry of Foreign Affairs of the Kingdom of Thailand.

The 2021 Albanian Chairmanship of the OSCE Asian Partners for Co-operation Group sincerely appreciates the continued commitment and interaction of the Asian Partners and the participating States based on the commitments reflected in the 2020 Tirana Ministerial Council Declaration on Co-operation with the OSCE Asian Partners. Albania wishes the best of success to the Group's incoming Swedish Chairmanship and trusts that it will continue to work for concrete and project-oriented interaction with the Asian Partners, including streamlined co-operation with other regional organizations.

**REPORT BY
THE CHAIRPERSON OF THE OSCE MEDITERRANEAN PARTNERS
FOR CO-OPERATION GROUP TO THE TWENTY-EIGHTH
MEETING OF THE OSCE MINISTERIAL COUNCIL**

As holder of the 2021 Chairmanship of the OSCE Mediterranean Partners for Co-operation Group, Poland concentrated on the security implications of the COVID-19 pandemic, with a growing focus on security-relevant aspects of post-pandemic recovery.

Four meetings of the OSCE Mediterranean Partners for Co-operation Group were organized during the year, either entirely online or in a blended format owing to continuing restrictions related to the COVID-19 pandemic. Topics included post-COVID recovery, transnational organized crime, youth employment, and combating illicit trafficking and protecting cultural heritage in the Mediterranean region.

The first meeting of the OSCE Mediterranean Partners for Co-operation Group took place on 15 March and was dedicated to “Post-COVID-19 recovery: Opportunities and challenges for security and regional co-operation”. In his opening remarks, H.E. Mr. M. Przydacz, Deputy Minister of Foreign Affairs, Poland, stressed that as holder of the 2021 Chairmanship, Poland intended to work closely with the Partners for Co-operation, the participating States and the OSCE institutions to strengthen international co-operation on post-pandemic recovery and future resilience. H.E. Ms. H. M. Schmid, Secretary General of the OSCE, stressed that the Organization was the only regional arrangement offering North American, European and Asian countries an inclusive platform to address strategic and security developments in the Mediterranean, and cited the growing security interdependence between the Mediterranean region and the OSCE area as an additional factor in the importance of reviving multilateral approaches to conflict prevention and resolution. H.E. Ms. U. Funered, Ambassador and Head of the Permanent Delegation of Sweden to the OSCE, Chairperson of the Permanent Council, noted that discussing common regional security challenges with the Mediterranean Partners remained high on the agenda of the Swedish Chairmanship. Despite the unprecedented challenges faced globally, both health-related and economic, steps had to be taken towards a sustainable and inclusive post-pandemic recovery. A green recovery was key to ensuring a resilient return to growth and development after the COVID-19 pandemic. H.E. Mr. I. Hasani, Permanent Representative of the Republic of Albania to the OSCE, noted that the Mediterranean Partnership had benefited from the OSCE having been among the first organizations to recognize that the pandemic would have an impact on all three dimensions of security. Young people and women had been particularly affected by the socio-economic consequences of the pandemic and it would be impossible to bring about full recovery without achieving gender balance in the labour market and women’s participation in decision-making processes. Ms. F. Palanza, Director of the Department for Lending in EU Neighbouring Countries, European Investment Bank (EIB), delivered a keynote speech and gave a brief overview of the EIB. Ms. Palanza focused on post-pandemic recovery, which would require broad, all-inclusive measures at the national and international levels. At European Union level, the European Commission, the EIB and the European bilateral co-operation agencies would allocate over 30 billion euros to recovery in coming years. The first speaker of the thematic discussion, Mr. A. Salmon, Head of International Relations, Ministry of Health, Israel, presented Israel’s COVID-19 vaccination rollout programme. Israel’s vaccine rollout strategy

relied on a simple prioritization process, with age being the only determining factor, with the exception of medical staff and first responders. H.E. Mr. A. Farhane, Ambassador of the Kingdom of Morocco, noted that empowering women was essential for the recovery of the economy. He underlined Morocco's vision of a green recovery from COVID-19 and drew attention to its renewable energy sector, which could generate employment opportunities. Furthermore, the COVID-19 crisis had demonstrated how vital it was to strengthen regional and multilateral co-operation. Ms. Y. Osman, Director of Security and Strategic Organisations, Ministry of Foreign Affairs, Egypt, also underlined the importance of multi-level co-operation to minimizing the devastating effects of the global pandemic. The Egyptian Government had implemented a proactive approach in responding to the COVID-19 pandemic, based on three objectives: local governance, precautionary measures, and financial aid. Mr. A. Sharkas, Deputy Governor of the Central Bank, Jordan, discussed the economic assistance the Jordanian government offered to sectors most affected by the pandemic, for example, reduced sales tax for the tourism sector. The Social Security Investment Fund together with the Central Bank of Jordan had enacted a wide set of policies targeting individuals most affected by the crisis. H.E. Mr. M. Mezghani, Permanent Representative of Tunisia to the International Organizations in Vienna, described Tunisian efforts to mitigate the economic effect of the COVID-19 pandemic, stating that the Ministry of Social Affairs had launched an action plan to help society's most vulnerable groups, from which 450,000 families had benefited. H.E. Ms. F. Mebarki, Permanent Representative of the People's Democratic Republic of Algeria to the International Organizations in Vienna, called upon the international community to remain vigilant concerning the risks of counterfeit vaccines being circulated by criminal groups. In the follow-up discussion, many delegations noted that multilateral and regional co-operation was essential to overcoming the COVID-19 pandemic and promoting an inclusive and sustainable recovery.

The second meeting of the OSCE Mediterranean Partners for Co-operation Group was held on 10 May and was dedicated to "Addressing transnational organized crime through improved multilateral co-operation". The meeting was opened by H.E. Mr. A. Hałaciński, Permanent Representative of Poland and Chair of the OSCE Mediterranean Partners for Co-operation Group. He noted that as most transnational organized crime (TOC) groups operated on an international scale, individual States could not combat the phenomenon alone effectively. Thus, States must co-ordinate actions, take advantage of mutual experiences and good practices, and remain in continuous dialogue with each other. Furthermore, a special focus should be directed at prevention, with multilateral bodies promoting dialogue and facilitating co-operation between State bodies. Commending the Tirana Ministerial Declaration on Strengthening Co-operation in Countering Transnational Organized Crime (MC.DOC/1/20), Mr. Hałaciński noted that many participating States and Partners for Co-operation had expressed grave concern regarding the impact of TOC on international stability and security. H.E. Ms. G. Fathi Waly, Executive Director of the United Nations Office on Drugs and Crime, Director-General of the United Nations Office at Vienna, acknowledged the need for joint solutions when addressing TOC, as transnational crime continued to affect all dimensions of security. Countries impacted by the pandemic and subsequent economic downturn needed to advance shared responses and address common goals. She therefore drew attention to the United Nations Convention against Transnational Organized Crime (UNTOC), currently the only legal instrument ratified by as many as 190 parties and offering a vast array of co-operation tools. She encouraged the Partners to be proactive in addressing challenges posed by TOC. The final speaker delivering opening remarks, H.E. Ms. A. Kupchyna, OSCE Co-ordinator of Activities to Address Transnational Threats, noted that during the pandemic organized crime groups had taken advantage of the

economic recession to create new avenues of profit. Multilateral co-operation was now more important than ever, and there was a need to adapt the approaches in different mandate areas and to leverage partnerships with all relevant stakeholders to counter the risks posed by TOC. To maximize impact, it was paramount for efforts to be streamlined, and priority should be given to capitalizing on previous interventions rather than starting new initiatives. The keynote speech of the second meeting was delivered by Mr. M. Shaw, Director of the Global Initiative against Transnational Organized Crime, who focused on trafficking in human beings and illicit drugs in the Mediterranean region, noting that smuggling networks in the Mediterranean were truly transnational and had members at all points on the various routes. Trafficking of weapons was also pervasive in the region, linked mainly to the conflicts in the Mediterranean. Addressing TOC challenges should be a matter of urgent interest to the international community, and combating TOC required a comprehensive approach across all three dimensions of security – an approach the OSCE was well equipped to take. The first speaker of the thematic discussion, H.E. Mr. M. Elmolla, Permanent Representative of the Arab Republic of Egypt to the International Organizations in Vienna, mentioned how the pandemic had complicated the TOC situation in the Mediterranean region even further. In addition to previously existing crimes – migrant smuggling, trafficking in firearms and cultural properties, terrorist activities – the area was now witnessing new emergent forms of criminal activity such as cybercrime. Ms. D. Dominitz, National Anti-Trafficking Coordinator, Israel, stressed the importance of focusing on human trafficking as a form of TOC, noting Israel's efforts in providing support to the victims of human trafficking, with the country offering one-year visas and State-funded legal aid. Israel had also established a forfeiture fund for handling forfeited property and penalties imposed in cases of human trafficking and slavery, which was used for the deposit of assets involved in such criminal offences or funds from fines imposed on perpetrators. The next speaker, H.E. Ms. L. Al-Hadid, Permanent Representative of the Hashemite Kingdom of Jordan to the International Organizations, stated that Jordan spared no effort in combating organized crime, and that the Ministry of Labour had established an Anti-Trafficking Unit. She also discussed the deterioration of economies in the Middle East and North Africa (MENA) region following the beginning of the Syrian crisis and noted the rise in cybercrime, particularly in electronic finance fraud, bribery, human trafficking, and sexual abuse on the Internet. Ambassador Azzedine Farhane highlighted the new trends and challenges in TOC, noting political instability as one of the main factors contributing to TOC, along with, as a consequence, deterioration in security. Drawing attention to Morocco's accomplishments in the fight against TOC, he noted that the country had harmonized the relevant national legislation with UNTOC. In addition, it had promoted penal justice through the adoption of a new constitution in 2011 that consolidated the independence of the judicial body, thereby reinforcing the rule of law and strengthening the judiciary system. Mr. C. Sari, Police Commissioner, Tunisia, noted that although his country used all means available to combat TOC, transboundary crime was still flourishing, necessitating continued long-term surveillance. Good regional co-operation efforts and co-operation with international organizations were also pivotal. The final speaker of the thematic discussion, Mr. M. Aleksandrowicz, Commissioner, Head of the Organized Drug Crime Department at the Police Central Bureau of Investigation, Poland, introduced the EU Policy Cycle for serious and organized international crime (now EMPACT, European Multidisciplinary Platform Against Criminal Threats) and in particular EMPACT NPS (new psychoactive substances), which focuses on the prevention of production, trafficking and distribution of these synthetic drugs. The main role of the platform was to serve as a hub for all experts in the field of synthetic drugs and to give them a forum to discuss means of combating the

phenomenon. A discussion followed the thematic presentations, with the delegations sharing their lessons learned and efforts in combating TOC.

The third meeting of the OSCE Mediterranean Partners for Co-operation Group took place on 12 July and focused on “Unlocking potential, securing the future: youth as an untapped resource of the Mediterranean region”. In his opening remarks, Ambassador Halaciński noted that young people were contributing positively to enhancing security in the Mediterranean region. That contribution was conditional, however, and support needed to be given to youth along the way, particularly in the form of access to up-to-date education and high quality professional training opportunities as well as inclusion in the labour market. H.E. Mr. L. Cuesta, Permanent Representative of Spain, Co-Chair of the Group of Friends of Youth and Security, pointed out that Spain, together with Kyrgyzstan and the United States of America, was a leader State in promoting and advancing the youth and security agenda at the OSCE. Ambassador Cuesta emphasized the need for events similar to the OSCE Youth Conference in Malaga in 2017, which could help both the participating States and Partners for Co-operation address the challenges they were currently facing, and commended Albania for its efforts in promoting the youth agenda across the board in the OSCE. Mr. J. E. Donegan, Chargé d’Affaires a.i., United States of America, opened his remarks by indicating the link between security in the OSCE area and in the Mediterranean region. He commended the OSCE’s effort in promoting the youth agenda, making a reference to the Milan Ministerial Declaration on the Role of Youth in Contributing to Peace and Security Efforts (MC.DOC/3/18). He also drew attention to the US-Middle East Partnership Initiative (MEPI), which provided funding to projects dedicated to promoting stability and prosperity in the Middle East and North Africa by empowering partnerships between citizens, NGOs, the private sector and government institutions. The keynote speaker, Ms. R. Marbinah, Special Representative of the Chairperson-in-Office on Youth and Security, noted that even before the pandemic, equality had begun to steadily decrease both within countries and across borders. Youth unemployment was increasing at an alarming rate and was being further exacerbated by the COVID-19 pandemic with millions of young people unemployed in the OSCE area. Governments thus needed a holistic approach to education and managing the labour market, and young people needed to be penholders for legislation and thus take part in bringing about reforms. The first speaker of the thematic discussion, Ms. Y. Osman, Director of Security and Strategic Organisations, Ministry of Foreign Affairs, Egypt, noted that over 60 per cent of the Egyptian population were young and that youth empowerment was therefore a top priority on President Sisi’s agenda. Since the introduction of the “Long Live Egypt with the Power of Youth” initiative in 2014, practical steps had been taken to integrate youth into leadership positions, and after the 2019 governors’ elections, 60 per cent of high-level positions had been assigned to youth. Ambassador Azzedine Farhane stated that Morocco’s Ministry of Youth and Sport, in co-operation with UNICEF, had adopted the National Integrated Youth Policy 2015–2030, and currently a whole range of governmental sectors were involved in consolidating efforts for young people in many fields. In line with other speakers, he drew attention to the involvement of young people in the conception of public policy, so that young people could benefit from the same opportunities in education, healthcare, and access to political and cultural rights. The following speaker, Mr. S. Graiche, First Secretary, Embassy of Algeria in Vienna, noted that youth represented half of the Algerian population, with 54 per cent of the population being under 30 years of age. He presented the Algerian national economic development strategy, which had been reviewed to encourage youth participation in the economy, and additionally noted that the Algerian Government had recently developed sets of measures to help start-ups manage COVID-19. Mr. E. al-Raggad, Second Secretary,

Permanent Representation of the Hashemite Kingdom of Jordan to the International Organizations in Vienna, also noted that Jordan also had a very young population, with as many as 63 per cent under the age of 30. The Jordanian Government, recognizing the need for youth to be better prepared for the labour market, had been one of the first in the region to introduce coding in the school curriculum, with 9,000 students gaining free access to coding lessons in Arabic. Ms. T. Shchory, a social activist and business entrepreneur from Israel, noted that 35 per cent of the general labour market in the country were young people, of whom 65 per cent said that their work was related to their education; furthermore, 20 per cent of Knesset members were under the age of 40. Therefore, Israel had established the so-called Young Adult Centres in many cities, offering scholarships and also programmes for young *olim* (new immigrants). Mr. Amir Fehri, 19-year-old Creative Youth Ambassador to the Arab League of States and to the Arab League Educational, Cultural and Scientific Organization, Tunisia, highlighted the importance of establishing dialogue among young people and giving them an important role in decision-making processes. Ms. S. Linnoinen, Associate Project Officer, Transnational Threats Department, OSCE, gave an overview of the LIVE initiative (Leaders against Intolerance and Violent Extremism), a flagship project of the Action against Terrorism Unit (ATU), describing its success in building the capacity of young leaders in South-Eastern Europe and Central Asia. The aim of the initiative, which is rooted in the principles of “do no harm” and universal human rights, is to build the resilience of communities and skills of civil society actors in preventing violent extremism and radicalization that lead to terrorism, to influence policies aimed at preventing and countering violent extremism, and to develop concrete prevention initiatives. Ms. D. Jovanovska, Centre for Intercultural Dialogue, North Macedonia, noted that the Centre, created in 2006, worked on engaging youth from different backgrounds, ensuring equal representation of all sides. The Centre co-facilitated learning in different languages with all activities facilitated for and by young people and each programme starting with human rights education. That the Centre reached out to excluded young people to ensure their participation made its work especially important in post-conflict communities. After the panel, a delegation took the floor and highlighted the crucial role of youth in achieving comprehensive security.

The 2021 OSCE Mediterranean Conference took place on 12 and 13 October in a blended format with participants and speakers attending either online or in person at the OSCE’s Hofburg premises in Vienna. Entitled “Road to resilience: post-pandemic recovery and security in the OSCE and Mediterranean regions”, the Conference proved to be an excellent platform for discussing the impact of the COVID-19 pandemic on the security link between the OSCE and the Mediterranean. Around 250 participants from 49 countries attended the event. Opening remarks were delivered by H.E. Mr. P. Wawrzyk, Secretary of State, Ministry of Foreign Affairs, Poland, H.E. Ms. A. Linde, OSCE Chairperson-in-Office, Minister for Foreign Affairs, Sweden, H.E. Ms. M. Fino, Deputy Minister for Europe and Foreign Affairs, Albania, and H.E. Ms. H. M. Schmid, OSCE Secretary General. H.E. Mr. P. Wawrzyk, underscored the significance of the Mediterranean region in efforts to reinforce global security and post-pandemic recovery. The high-level political segment followed, addressing “Security and co-operation in the Mediterranean in light of the COVID-19 pandemic” and featuring statements from 15 ministers and deputy ministers both from OSCE Partners for Co-operation and from participating States. The segment was followed by three thematic sessions, which focused on: strengthening international co-operation in fighting transnational organized crime prompted by the pandemic, combating trafficking in human beings in labour markets affected by the pandemic, and sustainable recovery as a springboard from socio-economic crisis to security. In their concluding remarks, H.E. Bogusław Winid, Head of the OSCE Task Force, Ministry of Foreign Affairs,

Poland, Mr. P. Allizard, Vice-President of the OSCE Parliamentary Assembly, and H.E. Igor Djundev, Permanent Representative of the Republic of North Macedonia and incoming Chairperson of the Mediterranean Partners for Co-operation Group, all noted the importance of the multilateral dialogue with the Partners.

The fourth and last meeting of the Mediterranean Partners for Co-operation Group was held on 8 November and was dedicated to “Combating illicit trafficking and protecting cultural heritage in the Mediterranean region”. Opening the meeting, Ambassador Hałaciński noted that co-operation between various stakeholders was essential in order to be able to retrieve antiquities and dismantle terrorist organizations involved in the illicit trade. Mr. G. Stojkovski, Customs Adviser, Border Security and Management Unit/Transnational Threats Department (TNTD), presented in detail the expanded OSCE TNTD Comprehensive Programme and Project covering 2021–2025. It intended to introduce an annual meeting dedicated to trafficking cultural property to be scheduled early in the calendar year, at which participating States and Partners for Co-operation would be invited to discuss their experiences and subsequently draft an annual action plan for the year. In addition to establishing the annual meeting, the initiative was to invest in outreach, assessments and awareness-raising, supported with tailored capacity-building activities via a dedicated expert team. Thematic OSCE resource platform and visibility products would expand further, as would co-operation with partner organizations. Ms. S. Giusti, Professor, Sant’Anna School of Advanced Studies, Pisa, Italy, was the first speaker of the thematic discussion. Ms. Giusti focused on the issue of “securitization” of cultural heritage, defining “securitization” as the bringing of politicized issues into the security sphere, in the course of which the issues needed to be treated with tools typical for security. The second speaker in the thematic discussion was the archaeologist Mr. I. Hadad, Inspector in Charge of Commerce, Antiquities Theft Prevention Unit, Antiquities Authority, Israel. He presented the method used by his unit to prevent the phenomenon, operating in the field using semi-military tactics to catch the looters; furthermore, collectors and dealers had to register their items of cultural property, and hardened and tougher legislation had been approved to counter collecting antiquities trafficked to and from Israel. Mr. M. Mohieldin Nafei Mosleh, Deputy Assistant Foreign Minister for International Specialized Agencies, Egypt, drew attention to the work of the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation (ICPRCP). In its current session, the Committee, chaired by Mr. Mosleh, had adopted a number of decisions and recommendations, the most important one being to establish the working group to review the code of ethics for leaders and hold expert meetings to examine colonial cultural goods. Following the thematic discussion, the delegations of several Partners for Co-operation and participating States took the floor to present their countries’ best practices and lessons learned in combating trafficking in cultural property.

On 15 July 2021, the OSCE Swedish Chairpersonship dedicated a Permanent Council meeting to discussing co-operation with the Mediterranean Partners on “Climate change and security”. Mr. M. Czapliński, Deputy Permanent Representative of Poland representing the Chairperson of the OSCE Mediterranean Partners for Co-operation Group, highlighted the impact of climate change on the Mediterranean region, noting the particular importance of generating synergies and sharing information. Women and youth in particular should be given special roles as the agents of change, reflecting the Milan Ministerial Declaration on the Role of Youth in Contributing to Peace and Security Efforts (MC.DOC/3/18). Mr. Czapliński emphasized that stability and security in the Mediterranean was an integral indispensable component of stability and security in the OSCE area as a whole.

REPORT TO THE OSCE MINISTERIAL COUNCIL ON STRENGTHENING THE LEGAL FRAMEWORK OF THE OSCE IN 2021

(MC.GAL/6/21 of 17 December 2021)

Introduction and background

The absence of a universally recognized international legal personality for the OSCE continues to present operational challenges.

Over the years, various efforts to secure legal status, privileges and immunities for the Organization, its officials and the representatives of its participating States across the OSCE area were made, resulting in various participating States concluding bilateral agreements/arrangements or granting legal status, privileges and immunities to the OSCE through national legislation. However, this has resulted in a fragmented legal framework and a need for a uniform solution.

In this regard, an open-ended Informal Working Group on Strengthening the Legal Framework of the OSCE (IWG) was established in 2009 in order to advance the dialogue among the participating States, further to a Ministerial Council decision on this topic.¹ It generally meets two to three times per year in an ongoing effort to achieve progress on legal protection for the OSCE and its officials, and to reach a solution that would grant international legal personality in accordance with one of the currently four options.² As in recent years³, these four options remain as follows:

- Option one: Adoption of the 2007 Draft Convention;
- Option two: Adoption of a constituent document prior to, or in parallel with, adoption of the 2007 Draft Convention;
- Option three: Development of a “Convention Plus” (a hybrid solution consisting of elements of a constituent document incorporated into the 2007 Draft Convention);
- Option four: Implementation of the 1993 Rome Council Decision through signature and ratification of the 2007 Draft Convention by a group of interested participating States.

1 Ministerial Council Decision No. 4/08 dated 5 December 2008.

2 The documents relating to the four options were compiled in CIO.GAL/8/17/Rev.1 dated 25 January 2017.

3 Reports to the Ministerial Council on strengthening the legal framework of the OSCE, respectively MC.GAL/4/15 dated 1 December 2015; MC.GAL/7/16 dated 9 December 2016; MC.GAL/7/17 dated 8 December 2017, MC.GAL/10/18 dated 7 December 2018, MC.GAL/3/20 dated 3 December 2020.

Proceedings of the Informal Working Group in 2021

In 2021, the Swedish Chairpersonship convened two meetings of the IWG, chaired by Ambassador H. Tichy of Austria, both held in blended format due to continuing COVID-19 related restrictions. The agenda items included *inter alia* discussions on the feasibility of each of the options tabled for consideration, updates on the operational consequences of the lack of a clear legal status of the OSCE, and an update on the survey of national implementation measures.⁴

First meeting: 31 May 2021

The Chairperson opened the meeting by inviting the participating States to comment on any developments regarding the four options. Some participating States reiterated their well-established positions on the options for consideration. No new initiative was proposed by any participating State.

Update on the operational consequences of the lack of a clear legal status of the OSCE

Mr. S. Walsh, Head of the Secretariat's Office of Legal Affairs, presented an overview of the operational consequences that the OSCE had recently faced due to the lack of a clear legal status. He recalled the note of caution that he had sounded at the previous IWG meeting on the possible exposure of the Organization during the COVID-19 pandemic. This included possible compensation claims exceeding the levels provided for under OSCE insurance policies and possible claims against the Organization and its senior management in the event that an official contracted the disease while discharging their official functions, leading to serious harm or death. Mr. Walsh also informed the IWG that the new Secretary General had endorsed the 2017 Model Arrangement and Model Specific Arrangement⁵, which while not an alternative to the options before the IWG, could be considered by interested participating States for conclusion on a bilateral basis as a short-term stop-gap measure.

Mr. Walsh provided some illustrative examples of the current suboptimal legal situation. These included the outbreak of hostilities between two participating States, which led to extensive consultations between the relevant field operation and the Secretariat's Office of Legal Affairs on the OSCE's potential liability when conducting operations in the affected area, and the re-emergence of a criminal case against an OSCE official connected to the performance of their official functions in a mission-area where the Organization lacked the instruments to assert immunity of its staff.

Second Meeting: 12 October 2021

The Chairperson opened the meeting by inviting the participating States to comment on any developments regarding the four-tabled options. Some participating States reiterated their well-established positions on the options for consideration. No new initiative was proposed by any participating State.

4 CIO.GAL/108/21 dated 30 September 2021.

5 SEC.GAL/44/21 dated 26 March 2021.

Presentation on the operational challenges given the lack of a clear legal status of the OSCE

Ms. M. Twardowska, Deputy Director for CPC/Operations Services and co-author of the recently published OSCE paper “A Peaceful Presence – The First Five Years of the OSCE Special Monitoring Mission to Ukraine”, made a presentation on the issue from CPC’s perspective. She stated that despite the lack of a universally recognized legal personality, OSCE participating States have assigned the Organization with mandates for operations, including in the field and in conflict zones, thus expecting the OSCE to operate as any international organization enjoying the necessary level of privileges and immunities for its effective functioning. The OSCE’s peculiar legal situation, though not precluding the Organization from carrying out its mandates, has created complications, is time-consuming and gives rise to legal risks and uncertainties, bringing about additional complexity, administrative challenges and higher costs.

Ms. Twardowska focused on the rapid deployment of the Special Monitoring Mission to Ukraine (SMM) as an illustrative example in this regard, highlighting that in the first twelve weeks of its deployment, the Mission lacked formal legal capacity as a consequence of a lack of universally recognized legal personality for the OSCE itself. Although the memorandum of understanding (MoU) with the host country was signed not long after the SMM’s deployment, the ratification of the MoU took place some months later, and in this interim period, this situation prevented the SMM from entering contracts, opening bank accounts and purchasing necessary assets.

Additionally and reflecting the OSCE’s patchwork system of privileges and immunities, while the MoU ensures that SMM officials are now protected in Ukraine, other OSCE officials, such as the Secretary General and Secretariat staff, enjoy no formal legal status, privileges, immunities or security guarantees in Ukraine. Thus, if they do not require a visa when undertaking duty travel, the government will not be aware of their presence and will not owe them any special protection. Recalling the abduction of two groups of monitors in 2014, the health and well-being of OSCE staff is not a hypothetical scenario. Referring to the jurisprudence of the Administrative Tribunal of the International Labour Organization, which held that international organizations have a duty of care to establish appropriate diplomatic arrangements with the host government before sending officials on duty travel, the presentation highlighted that the resulting harm to personnel could lead to profound financial liability for the organization concerned.⁶ Ms. Twardowska stressed that while most bilateral arrangements between the OSCE and host States have made the 1961 Vienna Convention on Diplomatic Relations (VCDR) applicable to the field operation and its members, the VCDR was intended exclusively for bilateral missions. Such use of the VCDR limits the organization’s capability to protect its staff and causes uncertainty for locally recruited officials in respect of their tax compliance, which in turn, affects the OSCE’s ability to attract highly qualified staff.

Finally, Ms. Twardowska highlighted that the absence of a universally recognized legal personality prevents some participating States from loaning vital equipment, thus resulting in higher costs by obtaining this equipment and related services on a commercial basis.

⁶ International Labour Organization Administrative Tribunal (ILOAT), A. v. ICC, 126th Session, Judgment No. 4003, 26 June 2018.

Update on the operational consequences of the lack of a clear legal status of the OSCE

Mr. Walsh recalled his cautionary note about the potential exposure of the OSCE in a pandemic for want of a unified legal basis. To illustrate how the absence of a universally accepted legal personality affected the operations of the OSCE during such times, Mr. Walsh relayed that the Secretary General had had to request that her country of origin issue a diplomatic note in order to enable her travel to a participating State on official business where, as an OSCE official, she was not be entitled to diplomatic exemption and would otherwise have been required to quarantine. Mr. Walsh also referred to ongoing MoU negotiations with a participating State in which, due to the lack of a universally accepted legal personality, all elements of the draft MoU were up for discussion rather than having a solid basis already set out covering the fundamental aspects of the organization's needs. He also cited the recent closure of one of the OSCE's executive structures, where smooth closure ensued thanks to the co-operative approach of the host country, as there was neither a MoU nor any national measures recognizing the OSCE's legal status in place in the host country.

Update on the survey of national implementation measures and the supplementary questionnaire on the protection of OSCE assets and archives

Mr. Walsh informed the IWG of the reissuance of the national implementation measures survey and the supplementary questionnaires, which were distributed as a CIO.GAL/108/21 on 30 September 2021 and expressed his gratitude to those participating States that had responded to the previous questionnaire. Mr. Walsh also highlighted that the more participating States responded to the questionnaire, the clearer the picture would be for the Secretariat and the IWG.

Conclusion

The four options for strengthening the legal framework of the OSCE remained tabled in 2021 without any perceptible progress towards consensus. A notable feature of this year's discussions was the rather modest level of innovative or constructive discourse concerning the four options. Nevertheless, the level of participation in the IWG's meetings continues to demonstrate an interest in resolving the matter through appropriate legal means to protect the OSCE, its officials and the representatives of participating States while pursuing their functions. The diverse operational challenges illustrated during the meetings of the IWG in 2021 underscored the multitude of aspects that are affected by the protracted pursuit of solutions.

The IWG remains the only functioning mechanism for genuine dialogue to discuss, co-ordinate and address this core aspect of the OSCE's existence and protection of its operations and for this reason remains a valuable forum.