



Organization for Security and Co-operation in Europe

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**B R U S S E L S**

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**2006**

**Fourteenth Meeting of the  
Ministerial Council  
4 and 5 December 2006**

**Statements and declarations by the Ministerial Council**

**Decisions of the Ministerial Council**

**Rules of Procedure  
of the Organization for Security and Co-operation in Europe**

**Statements by the Chairman-in-Office and delegations**

**Reports to the Ministerial Council**

**Brussels 2006**

5 December 2006

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## TABLE OF CONTENTS

	<u>Page</u>
I. STATEMENTS AND DECLARATIONS BY THE MINISTERIAL COUNCIL	
Statement on Nagorno-Karabakh (MC.DOC/2/06) .....	3
Ministerial Statement on the Presence of OMiK (MC.DOC/3/06).....	4
Brussels Declaration on Criminal Justice Systems (MC.DOC/4/06) .....	5
Brussels Ministerial Statement on Supporting and Promoting the International Legal Framework against Terrorism (MC.DOC/5/06) .....	8
Ministerial Statement on Migration (MC.DOC/6/06).....	10
II. DECISIONS OF THE MINISTERIAL COUNCIL	
Decision on the extension of the mandate of the Director of the Office for Democratic Institutions and Human Rights (MC.DEC/1/06).....	13
Decision on the accession of Montenegro to the OSCE (MC.DEC/2/06).....	14
Decision on combating trafficking in human beings (MC.DEC/3/06) .....	15
Decision on the OSCE Senior Council (MC.DEC/4/06).....	19
Decision on organized crime (MC.DEC/5/06) .....	20
Decision on further measures to prevent the criminal use of lost/stolen passports and other travel documents (MC.DEC/6/06) .....	24
Decision on countering the use of the Internet for terrorist purposes (MC.DEC/7/06).....	26
Decision on further efforts to implement the OSCE Documents on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition (MC.DEC/8/06)...	29
Decision on combating the illicit trafficking of small arms and light weapons by air (MC.DEC/9/06) .....	31
Decision on supporting national implementation of United Nations Security Council resolution 1540 (2004) (MC.DEC/10/06).....	32
Decision on future transport dialogue in the OSCE (MC.DEC/11/06).....	33
Decision on energy security dialogue in the OSCE (MC.DEC/12/06).....	38
Decision on combating intolerance and discrimination and promoting mutual respect and understanding (MC.DEC/13/06) .....	40
Decision on enhancing efforts to combat trafficking in human beings, including for labour exploitation, through a comprehensive and proactive approach (MC.DEC/14/06).....	44
Decision on combating sexual exploitation of children (MC.DEC/15/06).....	47
Decision on the legal status and privileges and immunities of the OSCE (MC.DEC/16/06).....	50

Decision on improvement of the consultative process (MC.DEC/17/06) .....	52
Decision on further strengthening the effectiveness of OSCE executive structures (MC.DEC/18/06) .....	55
Decision on strengthening the effectiveness of the OSCE (MC.DEC/19/06) .....	58
Decision on the future OSCE Chairmanship (MC.DEC/20/06) .....	63
Decision on the time and place of the next meeting of the OSCE Ministerial Council (MC.DEC/21/06).....	65
III. RULES OF PROCEDURE OF THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (MC.DOC/1/06)	
IV. STATEMENTS BY THE CHAIRMAN-IN-OFFICE AND DELEGATIONS	
Statement by the Delegation of Belarus.....	91
Chairperson's perception .....	92
Statement by the Delegation of France .....	97
Statement by the European Union .....	98
Statement by the Delegation of the Russian Federation .....	100
Statement by the Delegation of Moldova .....	101
V. REPORTS TO THE MINISTERIAL COUNCIL	
Report on the implementation of the first operative paragraph of Ljubljana Ministerial Council Decision No. 17/05 .....	105
Report to the Ministerial Council on OSCE migration activities in 2006 (MC.GAL/7/06) .....	124
Letter from the Chairperson of the Forum for Security Co-operation to the Minister for Foreign Affairs of Belgium, Chairperson of the Fourteenth Meeting of the OSCE Ministerial Council .....	134
FSC Chairperson's progress report to the Ministerial Council on further implementation of the OSCE Document on Small Arms and Light Weapons (MC.GAL/4/06/Corr.2).....	137
FSC Chairperson's progress report to the Ministerial Council on further implementation of the OSCE Document on Stockpiles of Conventional Ammunition (MC.GAL/5/06).....	155
Letter from the Chairperson of the Open Skies Consultative Commission to the Minister for Foreign Affairs of Belgium, Chairperson of the Fourteenth Meeting of the OSCE Ministerial Council .....	169
Letter from the Minister for Foreign Affairs of the Republic of Montenegro to the Chairman-in-Office of the OSCE .....	171

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



## **STATEMENT ON NAGORNO-KARABAKH**

(MC.DOC/2/06 of 5 December 2006)

We are encouraged that negotiations in 2006, facilitated by the Co-Chairs of the OSCE Minsk Group and supported by the OSCE Chairman-in-Office, have brought the sides closer to agreement on the basic principles for the resolution of the Nagorno-Karabakh conflict.

We welcome the support of the leaders of the G8 to these efforts, expressed at the G8 Summit in St. Petersburg in July.

We urge the Presidents of Armenia and Azerbaijan to redouble their efforts in the coming year to finalize these basic principles as soon as possible.

We call on the sides, with the assistance of the international community, to extend co-operation to conduct an environmental operation to suppress the fires in the affected territories and to overcome their detrimental consequences. These measures can constitute significant steps toward restoring confidence between the sides. The OSCE is available to assist.

We also express our continuing support for the Personal Representative of the OSCE Chairman-in-Office and his mission to the region, and particularly for their efficient assistance to the Environmental Assessment Mission and for their ongoing monitoring of the ceasefire. We regret that incidents along the front lines continue occasionally to result in loss of life and call on both sides to adhere strictly to the ceasefire.

## **MINISTERIAL STATEMENT ON THE PRESENCE OF OMIK**

(MC.DOC/3/06 of 5 December 2006)

We have continued to give our support to the active involvement of the OSCE in Kosovo throughout 2006, with its field Mission (OMiK) forming an integral part of the United Nations Interim Administration (UNMIK), and contributing to further enhancing the necessary conditions on the ground, in particular the implementation of Standards.

We stand ready to remain engaged in Kosovo, building on the Organization's expertise in developing and monitoring democratic institutions, human rights, including community rights, and the rule of law as well on OMiK's extensive field presence, and to assist all efforts in developing a multiethnic and tolerant society. In this respect we look forward to a continued dialogue with other international actors.



## **BRUSSELS DECLARATION ON CRIMINAL JUSTICE SYSTEMS**

(MC.DOC/4/06 of 5 December 2006)

We, members of the Ministerial Council, reaffirm the commitments related to the administration of criminal justice, especially those contained in the Helsinki Final Act (1975), the Vienna Final Document (1989), the Copenhagen Document (1990), the Charter of Paris for a New Europe (1990), the Moscow Document (1991), the Budapest Document (1994), and the Charter for European Security (1999).

We recall Ministerial Council Decisions No. 3/05 on combating transnational organized crime and No. 12/05 on upholding human rights and the rule of law in criminal justice systems (Ljubljana, 2005).

We further recall the proceedings of the Human Dimension Seminar on Upholding the Rule of Law and Due Process in Criminal Justice Systems (Warsaw, May 2006).

We also recall relevant UN instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

We recall the commitment of the participating States to ensure the independence of the judiciary.

We recognize that nothing in this document shall undermine or diverge from participating States' existing commitments or obligations under international law, while we also acknowledge that each participating State, consistent with its legal tradition, determines the appropriate ways to implement them in its national legislation.

We consider that:

- Judicial independence is a prerequisite to the rule of law and acts as a fundamental guarantee of a fair trial;
- Impartiality is essential to the proper discharge of the judicial office;
- Integrity is essential to the proper discharge of the judicial office;
- Propriety, and the appearance of propriety, are essential to the performance of all the activities of a judge;
- A guarantee of equality of treatment to all before the courts is essential to the due performance of the judicial office;
- Competence and diligence are prerequisites to the due performance of the judicial office.

We consider that:

- Prosecutors should be individuals of integrity and ability, with appropriate training and qualifications;
- Prosecutors should at all times maintain the honour and dignity of their profession and respect the rule of law;
- The office of prosecutor should be strictly separated from judicial functions, and prosecutors should respect the independence and the impartiality of judges;
- Prosecutors should, in accordance with the law, perform their duties fairly, consistently and expeditiously, and respect and protect human dignity and uphold human rights, thus contributing to ensuring due process and the smooth functioning of the criminal justice system.

We consider that:

- Law enforcement officials should at all times fulfil the duty imposed upon them by law, by serving the public and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession;
- In the performance of their duty, law enforcement officials should respect and protect human dignity and maintain and uphold the human rights of all persons;
- Law enforcement officials should use force only to the extent necessary and appropriate to accomplish their mission and to ensure the safety of the public;
- Law enforcement officials, as members of the broader group of public officials or other persons acting in an official capacity, should not inflict, instigate, encourage or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment;
- No law enforcement official should be punished for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;
- Law enforcement officials should be cognizant and attentive to the health of persons in their custody and, in particular, should take immediate action to secure medical attention whenever required.

We consider that:

- All necessary measures should be taken to respect, protect and promote the freedom of exercise of the profession of lawyer, without discrimination and without improper interference from the authorities or the public;
- Decisions concerning the authorization to practice as a lawyer or to join the profession should be taken by an independent body. Such decisions, whether or not

they are taken by an independent body, should be subject to a review by an independent and impartial judicial authority;

- Lawyers should not suffer or be threatened with any sanctions or pressure when acting in accordance with their professional standards;
- Lawyers should have access to their clients, including in particular to persons deprived of their liberty, to enable them to counsel in private and to represent their clients according to established professional standards;
- All reasonable and necessary measures should be taken to ensure the respect of the confidentiality of the lawyer-client relationship. Exceptions to this principle should be allowed only if compatible with the rule of law;
- Lawyers should not be refused access to a court before which they are qualified to appear and should have access to all relevant evidence and records when defending the rights and interests of their clients in accordance with their professional standards.

We consider that the enforcement of custodial sentences and the treatment of prisoners must take account of the requirements of safety, security and discipline, while also ensuring prison conditions which do not violate human dignity and which offer meaningful occupational activities and appropriate treatment programmes to inmates, thus preparing them for their reintegration into society.

We call on the participating States to fully implement their commitments and international obligations to ensure fair and effective operation of their criminal justice systems.

**BRUSSELS MINISTERIAL STATEMENT ON SUPPORTING AND  
PROMOTING THE INTERNATIONAL LEGAL  
FRAMEWORK AGAINST TERRORISM**

(MC.DOC/5/06 of 5 December 2006)

We, the members of the Ministerial Council of the OSCE, reaffirm our strong determination to combat terrorism in all its forms and manifestations, as a crime that has no justification, whatever its motivation or origin and to continue and reinforce OSCE counter-terrorism activities in line with existing OSCE commitments.

We emphasize that measures to conduct this fight must be undertaken with full respect for the rule of law, and in accordance with our obligations under international law, in particular international human rights, refugee and humanitarian law.

We are convinced of the importance of reinforcing the international legal framework against terrorism, comprised of the universal conventions and protocols related to the prevention and the suppression of terrorism, relevant United Nations Security Council resolutions, the recently adopted United Nations Global Counter-Terrorism Strategy, as well as regional and bilateral legal instruments related to terrorism.

We call on the OSCE participating States to implement the relevant United Nations Security Council resolutions regarding the fight against terrorism.

We welcome the significant progress achieved in the participating States' compliance with the Bucharest Ministerial commitment to become party to the 12 anti-terrorism conventions and protocols, with 46 participating States being party to all 12 instruments that are currently in force.

We call on those OSCE participating States which have not yet done so to make every effort to become party without delay to the universal conventions and protocols against terrorism currently in force, and to implement them, in particular through criminalization of related offences in their national legislation.

We reiterate our call on the OSCE participating States to consider becoming parties to the International Convention for the Suppression of Acts of Nuclear Terrorism and the United Nations Convention against Transnational Organized Crime, as well as the United Nations Convention against Corruption, and support continuing efforts to adopt a comprehensive convention on international terrorism on terms that advance the international community's counter-terrorism objectives.

We call on participating States to consider becoming parties to regional and subregional legal instruments related to terrorism or legal co-operation in criminal matters adopted by organizations to which we belong, as well as — whenever appropriate to fill gaps in existing legal instruments — to conclude bilateral agreements on mutual legal assistance and extradition, in order to be able to co-operate fully, in accordance with the rules applicable under domestic and international law, in efforts to find and to bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts, on the basis of the principle to extradite or prosecute.

We will continue exchanging information, including through the Permanent Council and the Forum for Security Co-operation, on progress achieved in becoming party to international, regional and bilateral legal instruments against terrorism and on legal co-operation in criminal matters, as well as on developments in the national legislation related to terrorism.

We welcome work done so far by the OSCE structures, institutions and field presences, in collaboration with the United Nations Office on Drugs and Crime, the Council of Europe and other relevant regional organizations, to strengthen the legal regime against terrorism by promoting the implementation of participating States' obligations under the universal and regional anti-terrorism instruments to which they are party, and facilitating international legal co-operation in criminal matters, and encourage them to continue to do so.

We will also continue to develop interaction and dialogue on the issues of supporting and promoting the international legal framework against terrorism with the Mediterranean and Asian Partners for Co-operation.

## MINISTERIAL STATEMENT ON MIGRATION

(MC.DOC/6/06 of 5 December 2006)

1. We, the Ministers for Foreign Affairs of the OSCE participating States, welcome the report prepared on the OSCE work in the area of migration since 2005 and express our appreciation and continued support for the work carried out on migration and integration issues in all three dimensions of the OSCE and affecting all countries, including those of origin, destination and transit.
2. Bearing in mind the relevance migration has acquired for international and national affairs, we reaffirm Ministerial Council Decision No. 2/05 on migration and request the Permanent Council and relevant OSCE structures, within their existing mandates, to continue to consider relevant migration and integration issues as part of its comprehensive approach to security.
3. The UN High-Level Dialogue on International Migration and Development, *inter alia*, explored the relationship between these two complex phenomena, underscored that migration can be a positive force for the development in all countries, and confirmed the importance of ensuring co-ordination between the relevant international and regional organizations operating in these fields.
4. Owing to globalization and increasing mobility, dialogue and co-operation between governments at the bilateral, regional and international levels have become increasingly important for effectively addressing the opportunities and challenges of international migration within and between all countries, including those of origin, transit and destination.
5. As the phenomenon of migration has been growing, both in scope and in complexity, we encourage all relevant OSCE institutions and structures, within their existing mandates, to continue their work on migration and integration issues in all three dimensions, in particular on the potential contribution of migration to sustainable development and co-development; promoting integration with respect for cultural and religious diversity; addressing forced migration while respecting relevant international legal obligations, and combating illegal migration as well as trafficking in human beings and the exploitation, discrimination, abuse and manifestation of racism directed towards migrants, with special attention to women and children; and facilitating dialogue, partnership and co-operation between the OSCE participating States and the Partners for Co-operation on migration-related issues.
6. We acknowledge the good inter-organizational work done in producing the OSCE/IOM/ILO Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination and promoting improved migration management through a range of activities. The Handbook is an effective tool for capacity-building, which is a key element in preparing government institutions to put in place a system of migration management in order to oversee migration flows.

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





**DECISION No. 1/06**  
**EXTENSION OF THE MANDATE OF THE**  
**DIRECTOR OF THE OFFICE FOR DEMOCRATIC**  
**INSTITUTIONS AND HUMAN RIGHTS**

(MC.DEC/1/06 of 27 February 2006)

The Ministerial Council,

Recalling the decision of the Ministerial Council taken at its second meeting in Prague in 1992 concerning the development of the Office for Democratic Institutions and Human Rights (ODIHR),

Noting that the term of office of the current Director of the ODIHR, Ambassador Christian Strohal, will expire on 28 February 2006,

Taking into account the recommendation of the Permanent Council,

Decides to extend the mandate of Ambassador Christian Strohal as Director of the ODIHR for a period of two years until 28 February 2008. As from that day, and as long as the Ministerial Council makes no appointment, Ambassador Christian Strohal will serve as Acting Director of the ODIHR, but in no case beyond 30 June 2008.

**DECISION No. 2/06**  
**ACCESSION OF MONTENEGRO TO THE OSCE**  
(MC.DEC/2/06 of 21 June 2006)

The Ministerial Council,

Following the receipt of the letter from the Minister for Foreign Affairs of Montenegro, contained in document CIO.GAL/97/06 of 6 June 2006, in which Montenegro accepts all OSCE commitments and responsibilities in their entirety,

Welcomes Montenegro as a participating State of the OSCE.

**DECISION No. 3/06**  
**COMBATING TRAFFICKING IN HUMAN BEINGS**  
(MC.DEC/3/06 of 21 June 2006)

The Ministerial Council,

Reaffirming the commitments that the participating States have adhered to in the field of combating trafficking in human beings,

Reaffirming the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance (PC.DEC/557/Rev.1 of 7 July 2005),

Recalling Decision No. 2/03 of the Eleventh Ministerial Council Meeting in Maastricht on combating trafficking in human beings, which established, under the aegis of the Permanent Council, the OSCE mechanism to provide assistance to participating States to combat trafficking in human beings,

Reaffirming the importance of having an appropriate structure with adequate administrative and financial resources that can operate at the political level,

1. Decides that the OSCE mechanism to provide assistance to participating States to combat trafficking in human beings, established under the aegis of the Permanent Council, shall be changed to form an integral part of the Secretariat. The structure will be headed by a prominent personality, who will act as a Special Representative and represent the OSCE at the political level, and will consist of contracted and seconded staff, including those of the present Anti-Trafficking Assistance Unit, appointed or assigned in accordance with the OSCE Staff Regulations and Rules;

The structure shall:

- (a) Assist OSCE participating States in the implementation of commitments and full usage of recommendations set forth in the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance;
- (b) Ensure co-ordination of the OSCE's efforts in combating trafficking in human beings across all three dimensions of the OSCE and act as a focal point for the OSCE's efforts in this area;
- (c) Strengthen co-operation among the relevant authorities of the participating States and between the OSCE and other relevant organizations;
- (d) Raise the public and political profile of combating trafficking in human beings;
- (e) Operate in the whole OSCE area and as appropriate, assist the participating States, in a spirit of co-operation and following consultations with the relevant authorities of the participating States concerned, in aiming at the implementation of their commitments in combating human trafficking;

- (f) Provide and facilitate advice and technical assistance in the field of legislation as well as policy development, together, as necessary, with other OSCE structures engaged in this field;
- (g) Be ready to offer advice to senior level authorities representing the legislative, judicial, and executive branches in participating States and discuss with them the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum, and commitments in the field of combating trafficking in human beings. In specific cases calling for special attention, seek direct contacts, in an appropriate manner with the participating State concerned and discuss the providing of advice and concrete assistance, if needed;
- (h) Co-operate with national co-ordinators, national rapporteurs or other national mechanisms established by participating States for co-ordinating and monitoring the anti-trafficking activities of State institutions. It will also co-operate with relevant non-governmental organizations in the participating States. Furthermore, it will assume responsibility within the OSCE for hosting and facilitating meetings for the exchange of information and experience between national co-ordinators, representatives designated by participating States, or experts on combating trafficking in human beings;
- (i) Closely co-operate, in a co-ordinating role and in full respect of their mandates, with the Office for Democratic Institutions and Human Rights (ODIHR) and other OSCE institutions, relevant structures of the Secretariat including the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), the Strategic Police Matters Unit (SPMU), the Senior Gender Adviser, as well as, where appropriate, the OSCE field operations. Drawing on the expertise within the OSCE, the OSCE structures that undertake activities in this field will closely consult with each other and the Special Representative in order to avoid duplication, ensure complementarity and coherence and, as appropriate, seek to develop an integrated approach;
- (j) Co-operate and seek synergies with relevant international actors, including regional organizations, intergovernmental agencies and non-governmental organizations; continue to convene, chair and organize joint initiatives of the Alliance against Trafficking in Persons;

2. Calls on the Secretary General and the Chairmanship-in-Office to consult each other regarding the appointment of a prominent personality with relevant professional and political expertise:

- The Secretary General will appoint the personality as co-ordinator at the D2 level, with the consent of the Chairmanship, in accordance with Decision No. 15/04 of the Twelfth Ministerial Council Meeting in Sofia;
- The Chairmanship-in-Office will confer on the co-ordinator the functions and title of Special Representative for Combating Trafficking in Human Beings in order to enable the incumbent to adequately represent the OSCE at the political level. The participating States will be consulted in accordance with Decision No. 8 of the Tenth Ministerial Council Meeting in Porto;

3. Affirms that the Special Representative will be politically accountable to, and will report regularly and when appropriate to the Permanent Council after consultation with the Chairmanship-in-Office and the Secretary General, as well as in accordance with Decision No. 13/05 of the Thirteenth Ministerial Council Meeting in Ljubljana;
4. Agrees that from 2007 onwards the funding modalities will be changed, so that the current programme in the Unified Budget entitled "Special Representative on Combating Trafficking in Human Beings" will be part of the Main Programme now entitled "Anti-Trafficking Assistance Unit";
5. Decides that this decision amends Decision No. 2/03 of the Eleventh Ministerial Council Meeting in Maastricht and, if necessary, may be amended by the Permanent Council.

**Attachment 1 to MC.DEC/3/06**

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79  
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE  
HELSINKI CONSULTATIONS**

By the Delegation of the United States of America:

"The United States welcomes the decision on combating trafficking in human beings, which was adopted following expiration of silence on 21 June 2006. Combating trafficking in human beings is a high priority for our country. We urge that the position be filled quickly by the appointment of a highly-qualified individual.

The United States would like to stress that this decision in no way sets any precedent for the placement of other Chairman-in-Office representatives or other high-level positions.

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

Thank you, Mr. Chairperson."

**Attachment 2 to MC.DEC/3/06**

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79  
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE  
HELSINKI CONSULTATIONS**

By the Delegation of Turkey:

"Turkey wishes to make the following interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations:

We have joined the consensus in order to make possible the adoption of this decision which establishes a new structure to provide assistance to participating States in combating trafficking in human beings. Combating trafficking in human beings is a priority for the OSCE and requires continuous follow-up at the political level. Established in response to this urgent need, the new structure is a *sui generis* institutional set-up whose effectiveness can only be tested by time and practice. Therefore, the structure can in no way constitute a precedent or establish a model for other possible new structures including ‘thematic missions’ without prior consultations and the elaboration of their conceptual and organizational framework as well as their mandates and functions.

Turkey requests that this statement be attached to the journal of the day.”

**DECISION No. 4/06**  
**OSCE SENIOR COUNCIL**  
(MC.DEC/4/06 of 26 July 2006)

The Ministerial Council,

Recalling the decisions taken at the CSCE/OSCE's 1990 Paris Summit, 1992 Helsinki Summit and 1994 Budapest Summit in relation to the Senior Council, formerly the Committee of Senior Officials, as well as the related decisions of the Ministerial Council, formerly the Council,

Pursuant to the provision of the 1990, 1992 and 1994 Summit decisions that the Ministerial Council may adopt any amendment to those decisions which it may deem appropriate,

Taking into account the role of the Permanent Council as the principal and regular decision-making body for political consultations and for governing the day-to-day operational work of the OSCE,

Decides:

1. To dissolve the Senior Council and transfer its functions and tasks, except for those referred to in paragraph 3 below, to the Permanent Council, without amending the current organizational modalities of work of the Permanent Council;
2. To continue convening the Economic Forum as a regular OSCE meeting outside the framework of the Senior Council, under the auspices of the Permanent Council, and with the mandate and functions as previously agreed by the participating States;
3. To reaffirm, taking into account the amendments set out in paragraphs 1 and 2 above, all other provisions of OSCE decisions related to the Economic Forum, in particular those contained in paragraphs 21 to 32 of Chapter VII of the 1992 Helsinki Decisions, related to the mandate, organization and functions of the Economic Forum, as well as paragraph 20 of Chapter IX of the 1994 Budapest Decisions and Ministerial Council Decision No. 10/04;
4. To authorize the Permanent Council to take, as necessary, all decisions related to the mandate, functions and organizational modalities of the Economic Forum.

**DECISION No. 5/06**  
**ORGANIZED CRIME**  
(MC.DEC/5/06 of 5 December 2006)

The Ministerial Council,

Reiterating its grave concern about the negative effects of organized crime on peace, stability and security,

Concerned that organized crime is becoming increasingly efficient at exploiting our globalized economies and open societies and is representing a growing multidimensional challenge to all participating States throughout the whole OSCE area,

Concerned that organized crime commands vast wealth and can wield tremendous power, potentially undermining the democratic values in our societies and threatening the safety and security of ordinary citizens directly and indirectly,

Concerned also by the challenges and threats posed by the links between organized crime, trafficking in human beings, weapons and illicit drugs, corruption and terrorism as well as other forms of transnational and domestic criminal activity,

Convinced that addressing organized crime must remain a central element in our policies to provide safety and security to our citizens, both domestically and through international co-operation,

Underscoring that organized crime can best be fought through democratic institutions that respect human rights and the rule of law, and are accountable to citizens and civil society,

Emphasizing the key role played by an efficient and effective criminal justice system in upholding public safety and security,

Recognizing that policies and activities regarding the criminal justice system should comprise and integrate, *inter alia*, crime prevention, law enforcement, the police, the judicial system, the prosecution, defence lawyers and penal systems,

Recognizing that efficient and effective criminal justice systems can only be developed on the basis of the rule of law and on the protection of human rights and that the rule of law itself requires the protection of such criminal justice systems,

Recognizing that efficient and effective criminal justice systems based on the rule of law are a prerequisite for combating organized crime, trafficking in human beings, illicit drugs and weapons, terrorism, corruption and other forms of transnational and domestic criminal activity and that specialist responses to these security challenges must take place within the overall framework of a criminal justice system,

Recognizing the continued relevance of the United Nations standards and norms in crime prevention and criminal justice and of the role of the United Nations Office on Drugs and Crime (UNODC) in supporting their use and application and welcoming increasing



co-operation between the OSCE Secretariat, the UNODC and the UN Commission on Crime Prevention and Criminal Justice,

Recognizing the activities of other United Nations bodies and other international fora in the field of the rule of law,

Recognizing the importance of the implementation of the obligations under the United Nations Convention against Transnational Organized Crime (Palermo Convention) and, as appropriate, its supplementing protocols and under the United Nations Convention against Corruption, as ways for both addressing organized crime and corruption and for fostering international co-operation in criminal matters,

Taking note of the relevant Conventions and their protocols, elaborated in the framework of the Council of Europe,

Taking note of the outcome of the OSCE seminars and workshops held in 2005 and 2006 on international legal co-operation in criminal matters, on prevention of terrorism, on illicit drugs and other forms of trafficking,

Recognizing the need for the OSCE to focus on enhancing international legal co-operation and on improving criminal justice systems as part of its overall security agenda, in co-ordination with the United Nations and other multilateral forums,

1. Urges participating States to continue to address organized crime as an important threat and, where possible, to strengthen the implementation of their respective international obligations and OSCE commitments in all areas of their criminal justice systems;
2. Recommends to consider adopting, as appropriate, national plans addressing security-related issues, and to apply an integrated approach, mindful of the fact that every element of the criminal justice system impacts on the other elements;
3. Invites participating States to consider undertaking self-assessments of their criminal justice systems, using, as appropriate, instruments available from international organizations, such as the UNODC/OSCE assessment toolkits and making, if necessary, best use of other tools available, including from the Council of Europe (CEPEJ) and other organizations, academia or bar associations;
4. Urges participating States to pay due attention to the integrity and professionalism of law enforcement agencies and prosecution authorities, the efficient administration of justice and proper management of the court system, the independence of the judiciary and the proper functioning of the penitentiary system and to explore ways of alternatives to imprisonment;
5. Recommends, as part of policy planning in preventing and fighting organized crime, the improvement of data collection and analysis, the national development and use of risk and threat assessments, and the promotion of the exchange of information and best practices to the extent not already under way;
6. Recommends increasing national efforts at international co-operation, co-ordination and information exchange as an important step in countering transnational organized crime;

7. Urges participating States to enhance international legal co-operation in criminal matters, *inter alia*, through considering becoming parties to the UN Convention against Transnational Organized Crime (Palermo Convention), as appropriate the supplementing protocols thereto, the UN Convention against Corruption, and through implementing their obligations under these and other multilateral and bilateral legal co-operation instruments to which they are a party including through appropriate utilization of the relevant articles on mutual legal assistance and extradition;
8. Urges participating States to consider accession to the Convention on the Transfer of Sentenced Persons (Strasbourg, 21 November 1983) and its 1997 Additional Protocol, as appropriate, and to consider entering into bilateral agreements complementing this Convention, facilitating the transfer of sentenced persons;
9. Supports international police co-operation and takes note of the outcome of the OSCE chiefs of police meeting held in Brussels on 24 November 2006, including the suggestion to meet regularly, when such meetings are co-ordinated with and take into account other police chiefs' meetings;
10. Recommends undertaking efforts at outreach to the population, including co-operation between law enforcement authorities and civil society organizations, so that citizens may become more aware of their civil rights, develop greater trust in the criminal justice system as the guarantor of these rights, and feel comfortable when approaching the relevant authorities;
11. (a) Tasks the Secretary General and the relevant OSCE executive structures, within their respective mandates, with giving enhanced attention in their policies and activities to the key role of criminal justice systems in institution-building and in the promotion of the rule of law, as well as with co-operating and co-ordinating more closely in order to take better into account the interaction between the components of those systems;
- (b) Tasks the Secretary General and the relevant OSCE executive structures, within their respective mandates, with building on and consolidating the existing knowledge and experience on criminal justice and organized crime;
- (c) Tasks the Secretary General to support and promote international legal co-operation in criminal matters between participating States, also taking into account the framework provided by the UN Convention against Transnational Organized Crime and supporting its Conference of Parties and to continue co-operating with the UNODC in matters including combating organized crime and illicit drugs;
- (d) Tasks the Secretary General and the ODIHR to brief the participating States regularly and to present a joint written report to the participating States before the summer recess in 2007, on the implementation of the above-mentioned tasks;
- (e) Tasks the Permanent Council to take note of the above-mentioned report and to consider, if appropriate, a possible follow-up;
- (f) Tasks the Secretary General and the relevant OSCE executive structures including ODIHR, as appropriate in co-ordination and co-operation with other international organizations and institutions, to stand ready to respond to project proposals and requests for co-operation from participating States and to consider facilitating training

programmes, all within their respective mandates and as contributions are available for this purpose;

- (g) Underlines the importance of increased coherence and continuity of the efforts of all concerned OSCE bodies as well as reinforced co-operation with specialized agencies. In this respect, tasks the Secretary General to enhance co-ordination of these activities, within available resources and mandates. Invites the participating States to extend support to these activities.

**DECISION No. 6/06**  
**FURTHER MEASURES TO PREVENT THE CRIMINAL USE OF**  
**LOST/STOLEN PASSPORTS AND OTHER TRAVEL DOCUMENTS**  
(MC.DEC/6/06 of 5 December 2006)

The Ministerial Council,

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

Recalling the participating States' obligations under relevant United Nations Security Council resolutions, and the commitments that they have undertaken in this regard,

Recalling in particular that the participating States have committed — through the Bucharest Plan of Action for Combating Terrorism, the Maastricht Ministerial Council decision on travel document security (MC.DEC/7/03) and the OSCE Border Security and Management Concept (MC.DOC/2/05) — to enhance travel document security and border control and security in order to prevent the movement of terrorist individuals or groups, while facilitating the free and secure movement of persons,

Acknowledging the importance of cross-border communication and co-operation in combating global organized crime and terrorism,

Recalling its Decision No. 4/04, stipulating that the OSCE participating States should rapidly report all instances of lost and stolen international travel documents, either individually personalized or blank (unassigned), to Interpol's Automated Search Facility — Stolen/Lost Travel Document Database (ASF-SLTD), in accordance with Interpol's data protection guidelines and agreements between Interpol and the participating States concerned,

Recognizing the important role this decision has played in enhancing the Interpol database,

Noting that terrorists and other criminals continue to cross the borders of participating States using lost and stolen passports,

Noting that the Interpol General Secretariat has developed technical platforms\* that, when integrated with participating States' national border systems, can make possible an automatic real-time query access to the database for the first-line/border control users,

Noting the positive results that the active use of the Interpol ASF-SLTD by first-line law enforcement control in some OSCE participating States has brought and recognizing that the ASF-SLTD is a powerful tool in preventing the movement of terrorists and other criminals under false identities, and, in this regard, wishing to further enhance the use of the ASF-SLTD throughout the OSCE region,

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\* Integrated Solutions — Fixed Interpol Network Database and Mobile Interpol Network Database — FIND&MIND.

1. Calls on participating States that are not yet doing so, to urgently start implementing Ministerial Council Decision No. 4/04;
2. Decides that all OSCE participating States will make every effort to provide national first-line law enforcement end-users with integrated real-time access to the Interpol ASF-SLTD by implementing, where appropriate, the Interpol technical platforms as soon as financially and technically possible;
3. Calls on OSCE participating States to make available to Interpol a 24/7 contact to confirm the status of documents in question and to resolve “hits” to the Interpol database at border checkpoints in a timely and correct manner;
4. Recognizing that some participating States may need expert advice and material assistance in order to implement the Interpol technical platforms, encourages such States to specify their needs and forward them to the Secretariat to be submitted for consideration by potential donors;
5. Tasks the Secretary General to facilitate technical assistance in this field by Interpol and other relevant international organizations to requesting participating States;
6. Tasks the Secretary General to promote understanding of the importance and usefulness of the ASF-SLTD in combating terrorism, organized crime and any other crime, in co-operation with Interpol and other relevant organizations;
7. Encourages the OSCE Partners for Co-operation to voluntarily implement Ministerial Council Decision No. 4/04 and the current decision.

**DECISION No. 7/06**  
**COUNTERING THE USE OF THE INTERNET**  
**FOR TERRORIST PURPOSES**

(MC.DEC/7/06 of 5 December 2006)

The Ministerial Council,

Recalling its previous decision on this issue (MC.DEC/3/04),

Remaining gravely concerned with the growing use of the Internet for terrorist purposes as outlined in the aforementioned decision and beyond,

Reaffirming in this context the importance of fully respecting the right to freedom of opinion and freedom of expression, which include the freedom to seek, receive and impart information, which are vital to democracy and in fact are strengthened by the Internet (PC.DEC/633 of 11 November 2004) and the rule of law,

Recognizing that United Nations Security Council resolution 1624 (2005) calls upon States to take measures that are necessary and appropriate, and in accordance with their obligations under international law, to prohibit by law incitement to commit a terrorist act or acts and to prevent such conduct,

Reaffirming our commitments under the United Nations Global Counter-Terrorism Strategy, in particular “to coordinate efforts at the international and regional level to counter terrorism in all its forms and manifestations on the Internet” and “to use the Internet as a tool for countering the spread of terrorism, while recognizing that States may require assistance in this regard”,

Noting the observation in the report by the UN Counter-Terrorism Committee (S/2006/737 of 15 September 2006) that several States reported they are studying the application of the prohibition on incitement in their national legislation to the Internet,

Noting recent developments, in particular the Council of Europe Convention on the Prevention of Terrorism, regarding the obligations of States parties to this Convention to criminalize public provocation to commit a terrorist offence and recruitment and training for terrorism,

Recalling the Council of Europe’s Convention on Cybercrime (2001), the only legally binding multilateral instrument that specifically addresses cybercrime by, *inter alia*, providing for a common legal framework for international co-operation between States parties to this Convention in combating cybercrime, and its Additional Protocol concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems,

Recognizing the commitment by the G8 Summit (St. Petersburg, Russian Federation, 16 July 2006) to effectively counter attempts to misuse cyberspace for terrorist purposes, including incitement to commit terrorist acts, to communicate and plan terrorist acts, as well as recruitment and training of terrorists, and in particular noting the role of the G8 24/7 Computer Crime Network for countering criminal conduct in cyberspace,

Recalling the results of the OSCE Special Meeting on the Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes (Paris, 15 and 16 June 2004), as well as the outcomes of the OSCE Expert Workshop on Combating the Use of the Internet for Terrorist Purposes (Vienna, 13 and 14 October 2005) and the OSCE-Council of Europe Expert Workshop on Preventing Terrorism: Fighting Incitement and Related Terrorist Activities (Vienna, 19 and 20 October 2006), and relevant work done by the OSCE Secretariat and institutions, in particular by the Representative on Freedom of the Media and the ODIHR,

Taking into account different national approaches to defining “illegal” and “objectionable” content and different methods of dealing with illegal and objectionable content in cyberspace, such as the possible use of intelligence collected from Internet traffic and content to closing websites of terrorist organizations and their supporters,

Concerned with continued hacker attacks, which though not terrorism related, still demonstrate existing expertise in the field and thus providing a possibility of terrorist cyber attacks against computer systems, affecting the work of critical infrastructures, financial institutions or other vital networks,

1. Decides to intensify action by the OSCE and its participating States, notably by enhancing international co-operation on countering the use of the Internet for terrorist purposes;
2. Calls on participating States to consider taking all appropriate measures to protect vital critical information infrastructures and networks against the threat of cyber attacks;
3. Calls on participating States to consider becoming party to and to implement their obligations under the existing international and regional legal instruments, including the Council of Europe’s Conventions on Cybercrime (2001) and on the Prevention of Terrorism (2005);
4. Encourages participating States to join the G8 24/7 Computer Crime Network and to nominate an appropriate unit/contact person for this network for the purpose of streamlining international law enforcement co-operation on combating the criminal misuse of cyberspace and in criminal cases that involve electronic evidence, as appropriate;
5. Calls on participating States, when requested to deal with content that is illegal under their national legislation and is hosted within their jurisdiction, to take all appropriate action against such content and to co-operate with other interested States, in accordance with their national legislation and the rule of law, and in line with their international obligations, including international human rights law;
6. Invites participating States to increase their monitoring of websites of terrorist/violent extremist organizations and their supporters and to invigorate their exchange of information in the OSCE and other relevant fora on the use of the Internet for terrorist purposes and measures taken to counter it, in line with national legislation, while ensuring respect for international human rights obligations and standards, including those concerning the rights to privacy and freedom of opinion and expression, and the rule of law. Duplication of efforts with ongoing activities in other international fora should be avoided;

7. Recommends participating States to explore the possibility of more active engagement of civil society institutions and the private sector in preventing and countering the use of the Internet for terrorist purposes;
8. Encourages participating States to participate in the May 2007 “OSCE political conference on public-private partnership in countering terrorism” in Vienna that will focus on the vital role the private sector, including businesses, civil society and the media, can play in co-operating with governments to prevent and combat terrorism;
9. Tasks the Secretary General to promote, notably through the OSCE Counter-Terrorism Network, the exchange of information on the threat posed by the use of the Internet for terrorist purposes, including incitement, recruitment, fund raising, training, targeting and planning terrorist acts, and on legislative and other measures taken to counter this threat.



**DECISION No. 8/06**  
**FURTHER EFFORTS TO IMPLEMENT THE**  
**OSCE DOCUMENTS ON SMALL ARMS AND LIGHT WEAPONS**  
**AND STOCKPILES OF CONVENTIONAL AMMUNITION**  
(MC.DEC/8/06 of 5 December 2006)

The Ministerial Council,

Willing to further build upon the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century adopted by the Eleventh Meeting of the Ministerial Council, the OSCE Document on Small Arms and Light Weapons (SALW), the OSCE Document on Stockpiles of Conventional Ammunition, and other relevant decisions adopted in the framework of the OSCE,

Determined to continue implementing the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects by contributing to the reduction and prevention of the excessive and destabilizing accumulation and uncontrolled spread of SALW, including the risk of their diversion into illicit markets, the hands of terrorists and other criminal groups,

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

1. Welcomes the progress achieved so far in the framework of the OSCE in implementing the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Stockpiles of Conventional Ammunition, including the development of projects with the aim of containing and reducing the dangers emanating from surplus stockpiles of SALW, as well as stockpiles of conventional ammunition, explosive material and detonating devices, including liquid rocket fuel (melange);
2. Takes note with appreciation of the ongoing work in the Forum for Security Co-operation to develop best practice guides related to stockpiles of conventional ammunition;
3. Takes note of the progress report on the further implementation of the OSCE Document on Stockpiles of Conventional Ammunition, as submitted to the Fourteenth Ministerial Council meeting pursuant to Ministerial Council Decision No. 8/05;
4. Also takes note of the progress report on further implementation of the OSCE Document on Small Arms and Light Weapons, as submitted to the Fourteenth Meeting of the Ministerial Council;
5. Calls upon the Forum for Security Co-operation (FSC) to continue its efforts to address these issues in a comprehensive way both within and outside of the OSCE area,

reflecting the OSCE's concept of co-operative security and working in concert with other international fora;

6. Tasks the FSC to submit, through its Chairperson, the progress reports on the continuing implementation of the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Stockpiles of Conventional Ammunition to the Fifteenth Meeting of the Ministerial Council in 2007.

**DECISION No. 9/06**  
**COMBATING THE ILLICIT TRAFFICKING OF SMALL ARMS**  
**AND LIGHT WEAPONS BY AIR**

(MC.DEC/9/06 of 5 December 2006)

The Ministerial Council,

Willing to build further upon the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century adopted by the Eleventh Meeting of the Ministerial Council, the OSCE Document on Small Arms and Light Weapons (SALW), the OSCE Document on Stockpiles of Conventional Ammunition and other relevant decisions adopted in the framework of the OSCE,

Reaffirming its support for the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of Small Arms and Light Weapons in All its Aspects,

Determined to contribute to reducing the risk of diversion of SALW into the illicit market, in particular through efforts to combat illicit trafficking of SALW by air,

Welcoming the introduction of the topic of illicit trafficking of SALW by air on the agenda of the Forum for Security Co-operation,

Welcoming the added value the Office of the Co-ordinator of OSCE Economic and Environmental Activities can bring to the discussion on the topic,

1. Endorses the decision of the Forum for Security Co-operation to hold a special meeting on this topic in the first quarter of 2007;
2. Encourages broad participation in this special meeting, including by representatives of the air cargo transportation sector as well as competent international organizations; and
3. Tasks the Forum for Security Co-operation to remain seized of this matter and to report on progress and achievements, through the general progress report on the implementation of the OSCE Document on Small Arms and Light Weapons.

**DECISION No. 10/06**  
**SUPPORTING NATIONAL IMPLEMENTATION OF**  
**UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004)**  
(MC.DEC/10/06 of 5 December 2006)

The Ministerial Council,

Convinced of the threat that non-State actors such as terrorists and other criminal groups may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery and related materials,

Recalling OSCE commitments, in particular, the OSCE Principles Governing Non-Proliferation, adopted on 3 December 1994,

Wishing further to demonstrate the commitment of the OSCE participating States toward fulfilment of the obligations of United Nations Security Council resolution (UNSCR) 1540 (2004) and of UNSCR 1673 (2006), namely via providing, as and if appropriate, additional information on national implementation as recommended by the April 2006 report of the UN Security Council Committee established pursuant to resolution 1540 (2004) (1540 Committee),

Supporting the decision taken by the FSC to remain seized of this matter in 2007, including through possible further exchange of views, also with OSCE Partners for Co-operation as appropriate, on the implementation of UNSCR 1540 with the goal, *inter alia*, for participating States to further UN efforts by promoting lessons learned, sharing experiences and facilitating the identification of assistance needs for national implementation, in a co-ordinated manner and in full co-operation with the 1540 Committee,

Welcomes and underlines the importance of FSC Decision No. 10/06 on supporting national implementation of United Nations Security Council resolution 1540 (2004).

**DECISION No. 11/06**  
**FUTURE TRANSPORT DIALOGUE IN THE OSCE**  
(MC.DEC/11/06 of 5 December 2006)

The Ministerial Council,

Reaffirming the commitments related to transportation in the OSCE area, in particular those made in the Strategy Document for the Economic and Environmental Dimension adopted by the Ministerial Council in Maastricht (2003) and in other relevant OSCE documents,

Bearing in mind the importance of appropriate follow-up to Economic and Environmental Forums,

Recognizing the vital importance of secure transportation networks and of transport development to the enhancement of regional economic co-operation and stability in the OSCE area,

Noting the crucial role of transport in promoting trade and generating economic development across the OSCE area,

Drawing upon the summary conclusions and policy recommendations of the Fourteenth OSCE Economic Forum and welcoming the continuity achieved in different follow-up activities such as:

- The Workshop on Urban Transport Security, held in Vienna on 4 and 5 May 2006,
- The joint International Labour Organization-OSCE workshop on security in ports, held in Antwerp, Belgium, from 4 to 6 October 2006,
- The workshop on transport, security and environment held in Tonsberg, Norway, from 16 to 18 October 2006,
- The joint OSCE/UNECE seminar on the International Convention on the Harmonization of Frontier Controls of Good, held in Moscow on 17 and 18 October 2006,

Acknowledging that co-operation both between States and between relevant stakeholders is crucial to address transportation challenges adequately, and recognizing that an integrated approach incorporating capacity-building activities and appropriate follow-up is needed to achieve results in the longer term,

Convinced that the OSCE can support, strengthen and complement existing initiatives in the field of transport by providing a relevant framework for dialogue based on its comprehensive mandate for security and co-operation,

Welcoming the existing co-operation between the OSCE structures and the United Nations Economic Commission for Europe (UNECE), and recognizing the

importance of further strengthening co-operation with other international organizations and institutions on a case by case basis, in close consultation with participating States,

Recalling the Platform for Co-operative Security, as an essential element of the Charter for European Security of 1999, to further strengthen co-operation and synergy between the OSCE and other international organizations with a view to further promoting comprehensive security within the OSCE area,

Noting that landlocked developing countries face unique challenges related to their lack of access to the open sea, their dependence on transit services and difficulties related to market access,

Taking into account the joint statement of the delegations of the Central Asian participating States of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan made at the Fourteenth Economic Forum,

Acknowledging that addressing the needs of landlocked developing countries is an immediate concern and requires a long-term process,

Welcoming and recognizing the importance of the Almaty Declaration and the Almaty Programme of Action (APA): Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Co-operation for Landlocked and Transit Developing Countries, adopted by the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Co-operation in Almaty on 28 and 29 August 2003, and further welcoming the role of the UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and the Small Island Developing States (UN-OHRLLS) in this respect,

Endeavouring to support the mid-term review of the implementation of the APA,

Further recognizing the challenges and opportunities that transportation development and transportation security present to participating States and the need for more co-ordination and exchange of best practices,

Affirming the significant role of the OSCE Maastricht Strategy Document, in which participating States committed themselves to closer coordination in the fields of economic co-operation, good governance, sustainable development and protecting the environment,

Considering that, within its comprehensive approach to security, the OSCE could make contributions in the field of transport by, *inter alia*:

- Supporting the adoption and implementation of legal instruments and other tools developed by relevant organizations related to transportation and trade facilitation,
- Providing political support and a framework for dialogue with regard to the further development of transport corridors and networks without prejudice to the transportation-related interests of any participating State, and by playing a catalytic role between national and international actors,

- Paying due attention to transport related transit issues, with a particular eye on the special needs of landlocked developing countries, and by facilitating dialogue and co-operation among the OSCE participating States and OSCE Partners for Co-operation,
  - Encouraging the development of stronger partnerships between participating States and with relevant international bodies that focus on transport, in particular transport development and transport security,
  - Promoting a wide dissemination and implementation of best practices and standards developed by relevant organizations in the field of transport security, and by promoting better co-ordination in this field among participating States and partner organizations,
  - Promoting good public and corporate governance and by combating corruption in the area of transport and trade facilitation, in particular with regard to customs and cross-border operations and infrastructure development,
  - Making full and regular use of the relevant provisions of the OSCE Border Security and Management Concept,
  - Promoting and facilitating public-private dialogue with regard to transportation issues,
  - Emphasizing the linkages between transport development and the environment and promoting environmentally sustainable transportation choices, and
  - Promoting dialogue on transport and broader transport-related issues, within the context of the conflict settlement processes in the OSCE area,
1. Encourages participating States to enhance co-operation amongst themselves and with relevant international organizations on transport-related matters, notably by making use of the existing internationally recognized legal instruments, standards and best practices;
  2. Endeavours to enhance the existing co-operation with the UNECE, within the framework of the Memorandum of Understanding between the two organizations, in particular by providing political support for:
    - 2.1 The implementation of relevant conventions among participating States, drawing upon the example developed in the framework of the Pilot Project on the International Convention on the Harmonization of Frontier Controls of Goods of 21 October 1982; and by
    - 2.2 The implementation of the Trans-European Motorway (TEM) and Trans-European Railway (TER) Projects' Master Plan, and of the Euro-Asian transport links project Phase II;
  3. Tasks the Permanent Council to promote co-operation among participating States and to take initiatives to strengthen the dialogue on transport within the OSCE, including by reviewing, when appropriate, transport-related commitments on a regular basis as foreseen in

the existing review mechanism, with a view to take specific actions where the need would arise;

4. Tasks the Secretariat, in close consultation with participating States with strengthening co-operation with relevant partner organizations where the OSCE could offer comparative advantages, expertise and added value, aimed at capacity-building, exchange of best practices, raising awareness, and enhancing the transport dialogue among the OSCE participating States;

5. Tasks the OSCE structures, within the framework of their respective mandates, to support the participating States, upon their request, in their implementation of relevant OSCE commitments, and in the mobilization of international assistance taking into account the role played by relevant international organizations;

6. Decides to support the implementation of the Almaty Programme of Action (APA) in the OSCE area with a view to improving the transit potential of landlocked developing countries by strengthening the regional political dialogue and by supporting the relevant UN structures in their capacity-building programmes;

7. Encourages the Secretariat to strengthen co-operation with the UN-OHRRLLS in this field, notably in the framework of the mid-term review of the APA;

8. Tasks the Permanent Council and the Secretariat with providing OSCE participating States, upon their request, with assistance on the implementation of the APA, and with helping them to mobilize the necessary international assistance, taking into account the role played by relevant international organizations;

9. Welcomes the offer by the Government of Tajikistan to host in 2007 an OSCE conference on the prospects for development of trans-Asian and Eurasian transit transportation through Central Asia until the year 2015;

10. Decides to convene the above-mentioned conference, in accordance with the Rules of Procedure of the OSCE, in close co-operation with the Government of Tajikistan and together with the relevant international, regional and subregional organizations, with the aim of raising awareness and enhancing the political dialogue on the development of transportation in and through Central Asia including the adjacent OSCE participating States and Partners for Co-operation;

Tasks the Secretariat to report to the Economic and Environmental Subcommittee of the Permanent Council on the ongoing preparatory process;

11. Tasks the Permanent Council and the Secretariat and the OSCE field presences, within their existing mandates, with continuing to support participating States in their efforts to create proper conditions for a favourable business climate, inevitably linked with transport development, by promoting the Best Practice Guide for a Positive Business and Investment Climate launched in 2006, and by organizing round tables with the business community to promote transparency and address corruption issues;

12. Endeavours to develop further avenues of co-operation between participating States, building on international conventions to which they are parties and mutually agreed upon



standards, with a view to enhancing the enforcement of national legislation related to the illegal transport of hazardous waste;

13. Encourages participating States to consider signing and ratifying international agreements aimed at reducing the negative impact on the environment of economic activities, and in particular that of transport activities, and urges participating States that are parties to such agreements to implement them;

14. Encourages participating States to stimulate, apply and share best practices in the field of technological progress aimed at reducing the negative impact on the environment of economic activities, and in particular that of transport activities.

**DECISION No. 12/06**  
**ENERGY SECURITY DIALOGUE IN THE OSCE**  
(MC.DEC/12/06 of 5 December 2006)

The Ministerial Council,

Reaffirming the commitments regarding energy in the OSCE Strategy Document for the Economic and Environmental Dimension adopted at the Maastricht Meeting of the Ministerial Council in 2003,

Recognizing that a high level of energy security requires a predictable, reliable, economically acceptable, commercially sound and environmentally friendly energy supply which can be achieved by means of long-term contracts in appropriate cases,

Acknowledging that the security of demand and concerted actions of energy producers and consumers are also of critical importance for the enhancement of energy security,

Noting that the increasing energy interdependence between producing, consuming and transit countries needs to be addressed through co-operative dialogue enabling them to benefit fully from this interdependence and to further promote global energy security with due regard to the interests of all stakeholders,

Bearing in mind that this dialogue should strengthen the partnership among producing, transit and consuming countries to enhance global energy security through a comprehensive and concerted approach, also involving industry and civil society,

Regarding the availability of reliable and stable sources of supply of hydrocarbons to and from OSCE participating States as a favourable condition to promote a long-lasting and mutually beneficial co-operation in energy,

Taking note of efforts to diversify energy supply and demand, energy sources and transportation routes, as well as to increase the flexibility of energy transport systems through multiple supply routes or optimal, including direct, transport interconnections between suppliers and consumers, as appropriate, and to make more efficient use of energy resources, paying due respect to environmental considerations,

Determined to support the further development and use of new and renewable sources of energy, and

Recognizing that a large-scale use of renewable energy could make a significant contribution to long-term energy supply without adverse impact on the climate,

Considering the importance of good public and corporate governance, market transparency and regional co-operation in the energy sector to the promotion and enhancement of energy security, while taking into account the interests of all concerned,

Noting the efforts of the OSCE to raise awareness of challenges in the field of energy security and to serve as a platform for energy security dialogue, to add value and to promote regional and global co-operation in the field of energy security,

Taking note of the activities in the field of energy security already conducted by the OSCE in 2006,

1. Expresses support for the principles and objectives aimed at strengthening energy security, agreed at the G8 Summit in St. Petersburg, Russian Federation;
2. Tasks the Permanent Council and, in close co-operation and consultation with participating States, the OSCE Secretariat, to promote dialogue on energy security including on expert level, involving producing, transit and consuming countries;
3. Tasks the Permanent Council and the OSCE Secretariat with raising awareness and enhancing dialogue on the G8 Plan of Action on climate change, clean energy and sustainable development (2005) and the G8 Plan of Action on global energy security (2006).

**Attachment to MC.DEC/12/06**

**INTERPRETATIVE STATEMENT  
UNDER PARAGRAPH IV.1(A)6 OF THE  
OSCE RULES OF PROCEDURE**

By the delegation of Sweden:

“In connection with the decision on energy security dialogue in the OSCE I would like to make the following interpretative statement on behalf of the delegations of Latvia, Lithuania, the Republic of Moldova, Poland, Sweden, the United States of America and Ukraine.

We have joined consensus on this decision under the assumption that it in no way prejudices any national decision related to energy transportation or energy security.

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

**DECISION No. 13/06**  
**COMBATING INTOLERANCE AND DISCRIMINATION**  
**AND PROMOTING MUTUAL RESPECT AND UNDERSTANDING**  
(MC.DEC/13/06 of 5 December 2006)

The Ministerial Council,

Recalling that respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE comprehensive concept of security,

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

Acknowledging that the promotion of a culture of mutual respect, understanding and equality and the pursuit of equal opportunities for effective participation in democratic societies requires a systematic, comprehensive and long-term approach,

Deeply concerned by racist, xenophobic and discriminatory public discourse,

Reaffirming the need for determination by the participating States in combating all acts and manifestations of hate, including hate crimes, recognizing that the efforts required to address them often involve a common approach, while at the same time recognizing the uniqueness of the manifestations and historical background of each form,

Recalling its commitments in the field of tolerance and non-discrimination enshrined in the 1975 Helsinki Final Act, the 1990 Charter of Paris for a New Europe, the 1991 Document of the Cracow Symposium on the Cultural Heritage of the CSCE Participating States, the 1999 Charter for European Security, as well as in the decisions of the OSCE Ministerial Council adopted at Porto (MC(10).DEC/6), Maastricht (MC.DEC/4/03), Sofia (MC.DEC/12/04) and Ljubljana (MC.DEC/10/05),

Recalling the OSCE's increased focus on combating intolerance and discrimination and promoting mutual respect and understanding, embodied in the 2003 Vienna Conferences on Anti-Semitism and on Racism, Xenophobia and Discrimination, the April 2004 Berlin Conference on Anti-Semitism, the June 2004 Paris Meeting on the Relationship between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes, the September 2004 Brussels Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination, and the June 2005 Cordoba Conference on Anti-Semitism and on Other Forms of Intolerance and recalling the outcomes of those conferences,

Reaffirming its determination to implement the existing OSCE commitments in the fields of tolerance and non-discrimination and noting the contribution of the 2006 tolerance-related implementation-focused thematic meetings on Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding (Almaty), on Education to Promote Mutual Respect and Understanding and to Teach about the Holocaust (Dubrovnik) and on Hate Crimes Data Collection (Vienna),

Recognizing the work of the three Personal Representatives of the Chairman-in-Office in support of the overall effort of the OSCE to combat intolerance and discrimination and wishing a review of their contribution to this overall effort by the Chairman-in-Office, in consultation with the participating States, during the course of 2007,

Acknowledging the essential role civil society can play in combating intolerance and discrimination and promoting mutual respect and understanding,

Being alarmed at any rise of political parties, movements and groups advocating violence,

Also being concerned, in this context, at violent manifestations of extremism associated with racism, xenophobia, anti-Semitism, aggressive nationalism and neo-Nazism,

Recalling the contribution of the OSCE to the UN Alliance of Civilizations Initiative with the goal of forging collective political will and mobilizing concerted action at the institutional and civil society levels to promote mutual respect and understanding, and noting the High-Level Group's report, presented to the UN Secretary-General on 13 November 2006 in Istanbul, which aims at establishing, under the auspices of the UN, partnerships between international organizations that share the goals of the Alliance of Civilizations,

1. Decides to convene, during the first half of 2007, a High-Level Conference on Combating Discrimination and Promoting Mutual Respect and Understanding, following up on the 2005 Cordoba Conference on Anti-Semitism and Other Forms of Intolerance and welcomes the offer by Romania to host that Conference;
2. Tasks the Permanent Council to consider ways to further strengthen the effectiveness, coherence and consistency of the work of the OSCE in combating intolerance and discrimination and promoting mutual respect and understanding, from 2007 onwards, with a view towards more effective implementation of commitments;
3. Encourages the participating States to recognize the positive contribution that all individuals can make to the harmonious pluralistic character of our societies by promoting policies focusing on equality of opportunity, rights, access to justice and public services, and on fostering dialogue and effective participation;
4. Commits to raise awareness of the value of cultural and religious diversity as a source of mutual enrichment of societies and to recognize the importance of integration with respect for cultural and religious diversity as a key element to promote mutual respect and understanding;
5. Calls upon the participating States to address the root causes of intolerance and discrimination by encouraging the development of comprehensive domestic education policies and strategies as well as through increased awareness-raising measures that:
  - Promote a greater understanding of and respect for different cultures, ethnicities, religions or beliefs;
  - Aim to prevent intolerance and discrimination, including against Christians, Jews, Muslims and members of other religions;

- Promote remembrance and education about the tragedy of the Holocaust, as well as other genocides, recognized as such in accordance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, and crimes against humanity;
6. Acknowledges the important contribution youth can make to the fight against intolerance and discrimination and encourages the continuation and further development of good practice activities such as human rights education at an early age throughout the OSCE region and to organize an OSCE youth event in 2007 taking into account the experience and expertise of other relevant international and regional organizations in this field in order to avoid duplication;
  7. Decides to promote capacity-building of law enforcement authorities through training and the development of guidelines on the most effective and appropriate way to respond to bias-motivated crime, to increase a positive interaction between police and victims and to encourage reporting by victims of hate crime, i.e., training for front-line officers, implementation of outreach programmes to improve relations between police and the public and training in providing referrals for victim assistance and protection;
  8. Deplores racist, xenophobic and discriminatory public discourse, and stresses that political representatives can play a positive role in the overall promotion of mutual respect and understanding and have a significant impact in defusing tensions within societies, by speaking out against hate-motivated acts and incidents and by recognizing the positive contributions that all individuals can make to a harmonious pluralistic society;
  9. Recognizes the essential role that the free and independent media can play in democratic societies and the strong influence it can have in countering or exacerbating misperceptions, prejudices and in that sense encourages the adoption of voluntary professional standards by journalists, media self-regulation and other appropriate mechanisms for ensuring increased professionalism, accuracy and adherence to ethical standards among journalists;
  10. Underlines the crucial importance of States enacting a sound legal framework ensuring equality before the law and adequate judicial protection and pursuing strategic policies and plans that facilitate non-discrimination and equal opportunities;
  11. Encourages the participating States to step up their efforts in implementing their commitments to collect and maintain reliable data and statistics on hate crimes which are essential for effective policy formulation and appropriate resource allocation in countering hate-motivated incidents and, in this context, also invites the participating States to facilitate the capacity development of civil society to contribute in monitoring and reporting hate-motivated incidents and to assist victims of hate crimes;
  12. Decides that the participating States should engage more actively in encouraging civil society's activities through effective partnerships and strengthened dialogue and co-operation between civil society and State authorities in the sphere of promoting mutual respect and understanding, equal opportunities and inclusion of all within society and combating intolerance, including by establishing local, regional or national consultation mechanisms where appropriate;

13. Encourages the OSCE executive structures, within their existing mandates, to incorporate elements combating intolerance and discrimination and the promotion of mutual respect and understanding into their current and future activities throughout the OSCE region;

14. Encourages the Office for Democratic Institutions and Human Rights (ODIHR), based on existing commitments, including through co-operation with relevant OSCE executive structures:

- (a) To further strengthen the work of its Tolerance and Non-Discrimination Programme, in particular its assistance programmes, in order to assist participating States upon their request in implementing their commitments;
- (b) To further strengthen the work of the ODIHR's Advisory Panel of Experts on Freedom of Religion or Belief in providing support and expert assistance to participating States;
- (c) To continue its close co-operation with other relevant inter-governmental agencies and civil society working in the field of promoting mutual respect and understanding and combating intolerance and discrimination, including through hate crime data collection;
- (d) To continue to serve as a collection point for information and statistics on hate crimes and relevant legislation provided by participating States and to make this information publicly available through its Tolerance and Non-Discrimination Information System and its report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region;
- (e) To strengthen, within existing resources, its early warning function to identify, report and raise awareness on hate-motivated incidents and trends and to provide recommendations and assistance to participating States, upon their request, in areas where more adequate responses are needed;

15. Encourages the Representative on Freedom of the Media, within available resources, to consider reviewing best practices in matters of his/her competency relating to combating intolerance;

16. Looks forward to UN action on the report of the High Level Group of the Alliance of Civilizations Initiative with a view to considering an appropriate OSCE contribution towards its implementation.

**DECISION No. 14/06**  
**ENHANCING EFFORTS TO COMBAT TRAFFICKING IN**  
**HUMAN BEINGS, INCLUDING FOR LABOUR EXPLOITATION,**  
**THROUGH A COMPREHENSIVE AND PROACTIVE APPROACH**  
(MC.DEC/14/06 of 5 December 2006)

The Ministerial Council,

Seriously concerned that all forms of trafficking in human beings remain widespread in the OSCE region and beyond, in spite of intensified national and international efforts to counter the phenomenon,

Considering that trafficking in human beings is a grave and heinous crime that violates human dignity and undermines the enjoyment of human rights and fundamental freedoms, and that feeds organized criminal networks,

Recognizing that law enforcement, prosecution of perpetrators, protection, rehabilitation, integration and reintegration of victims as appropriate, including their effective access to justice, as well as prevention, including by measures directed at the demand side, are important to effectively combat trafficking in human beings,

Underscoring that the complexity of trafficking in human beings requires a multidimensional and multi-actor response that should be co-ordinated at the national, regional and international levels,

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

Reaffirming the significance of the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance endorsed by the Ministerial Council in Ljubljana in 2005, and its implementation by participating States,

Taking note of the outcome of the November 2006 Conference on Human Trafficking for Labour Exploitation/Forced and Bonded Labour, Prosecution of Offenders, Justice for Victims,

Recalling the International Covenant on Economic, Social and Cultural Rights, in particular articles 6 and 7 on the right to work and to the enjoyment of just and favourable conditions of work,

1. Calls on the participating States to continue engaging at a senior political level with the Special Representative on Combating Trafficking in Human Beings to enhance the implementation of the OSCE anti-trafficking commitments;
2. Urges the participating States to promote a comprehensive approach to combating all forms of trafficking in human beings through national, regional and international



arrangements, co-operation and co-ordination between law enforcement personnel, labour inspectorates, social protection units, medical institutions, immigration and border service officials, civil society organizations, victim support services, and the business community and any other relevant actors, also including a gender-sensitive approach. To this end, the participating States are recommended to establish National Referral Mechanisms (NRMs), as well as to appoint national co-ordinators;

3. Urges the participating States, with the support of the OSCE structures and institutions if requested, to improve research and the system of data collection and analysis, with due regard to the confidentiality of data, and where possible to disaggregate statistics by sex, age, and other relevant factors as appropriate, in order to better assess the character and scope of the problem and develop effective and well-targeted policies on trafficking in human beings. To this end, participating States are recommended to consider appointing National Rapporteurs or similar independent monitoring mechanisms;

4. Urges the participating States, in co-operation with international organizations and NGOs when appropriate, to seek to diminish the risk for repatriated victims to be re-trafficked, particularly by addressing factors that make persons more vulnerable to trafficking in human beings such as poverty, discrimination, lack of access to education and economic opportunities, sexual abuse, and domestic violence and by conducting risk assessments to ensure that return of victims is done with due regard for their safety;

5. Underlines the importance of providing effective access to justice for victims of trafficking in human beings, including in the areas of counselling and information about their legal rights in a language that they can understand, as well as in providing the possibility to obtain compensation for damage suffered and calls on the participating States to implement their obligations under the relevant provisions of the UN Convention against Transnational Organized Crime (Palermo Convention) and its supplementing Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children;

6. Encourages the participating States to combat trafficking in human beings for labour exploitation in a more proactive manner, including by:

- (a) Ensuring that their national criminal legislation trafficking in human beings for labour exploitation complies with the requirements of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the UN Convention against Transnational Organized Crime. To this end the participating States are encouraged to ensure that such crimes can be appropriately identified and prosecuted;
- (b) Ensuring that minimum labour standards are reflected in their labour laws, and that their labour laws are enforced, in order to reduce the potential of trafficking in human beings for labour exploitation;
- (c) Conducting training programmes for relevant officials, as well as other persons likely to come into contact with presumed trafficking victims, such as health workers, social workers, labour inspectors, and others, in order to improve their ability to identify trafficking victims and refer them to assistance and protection services;

- (d) Ensuring that information campaigns to raise awareness of trafficking do not contribute to further stigmatizing vulnerable groups which may lead to greater vulnerability to human rights abuses;
- (e) Promoting outreach strategies, including in co-operation with relevant NGOs, to provide information on trafficking in human beings for labour exploitation to migrant communities and to persons working in low wage labour and particularly vulnerable sectors such as agriculture, construction, garment or restaurant industries, or as domestic servants, in order to improve victims' access to assistance and justice and encourage persons with information on possible trafficking situations to refer victims to such assistance and to report to appropriate authorities for investigation when there are reasonable grounds to believe that a crime has occurred;
- (f) Developing and using advanced investigative methodology, in particular to allow cases of trafficking to be identified and prosecuted without relying only on victim testimony;
- (g) Sharing current operational best practices in police investigations of trafficking in human beings for labour exploitation, and ensuring that police working on trafficking in human beings have regular contact with their counterparts in other agencies responsible for investigating labour conditions as appropriate and have a multi-disciplinary approach to identifying and protecting the rights of victims of trafficking for labour exploitation;

7. Tasks the Permanent Council to consider ways to further strengthen efforts to combat trafficking in human beings, including for labour exploitation, taking into consideration the relevant OSCE commitments, the Action Plan on Combating Trafficking in Human Beings and the outcome of the November 2006 Conference on Human Trafficking for Labour Exploitation/Forced and Bonded Labour, Prosecution of Offenders, Justice for Victims.

**DECISION No. 15/06**  
**COMBATING SEXUAL EXPLOITATION OF CHILDREN**  
(MC.DEC/15/06 of 5 December 2006)

The Ministerial Council,

Recognizing that sexual exploitation of children is a grave and large-scale problem throughout the OSCE region and beyond, with multiple, interlinked manifestations of all forms of sexual exploitation of children, including prostitution, child pornography, trafficking in children for sexual exploitation, sex tourism and forced marriages of children,

Recognizing that sexual exploitation of children violates human dignity and undermines the enjoyment of human rights and fundamental freedoms,

Considering that sexual exploitation of children constitutes a grave and heinous crime, in many cases involving organized crime, that must be prevented, investigated, prosecuted and penalized with all available means,

Underlining the need to address the broad range of factors that make children vulnerable to sexual exploitation, including economic disparities, lack of access to education, and discrimination, including gender-related discrimination, as well as the need to counter demand for child pornography and sex tourism and to prevent the actions of perpetrators,

Considering that sexual exploitation of children is increasing and spreading through the use of new technologies such as the Internet,

Reaffirming all relevant OSCE commitments,

Taking note of the Resolution on Combating Trafficking and the Exploitation of Children in Pornography, adopted by the OSCE Parliamentary Assembly in Brussels at its 15th Annual Session,

Mindful of the relevant provisions of pertinent international instruments, including the UN Convention on the Rights of the Child and the UN Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, as well as the decisions and recommendations of pertinent international bodies,

Taking into account the provisions of the Council of Europe Convention on Cybercrime (2001) relating to child pornography,

Recalling the Declaration and the Agenda for Action of the First World Congress against Commercial Sexual Exploitation of Children, which took place in Sweden in 1996, and the Yokohama Global Commitment adopted at the Second World Congress in Japan in 2001,

Taking note of the recommendations from the United Nations Secretary-General's Study on Violence against Children\*, as well as the work of the United Nations Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography,

1. Condemns the sexual exploitation of children in all its forms, *inter alia*:
  - (a) Through child prostitution and child pornography, including through offering, obtaining, procuring, providing, or recruiting a child for such purposes, or profiting from exploiting a child for such purposes;
  - (b) When use is made of coercion, force, fraud, or threats, abuse of trust, authority or influence over a child, or the offering or giving of money or other forms of remuneration/consideration in exchange for sexual activities, including during times of armed conflict or in post-conflict situations;
  - (c) The production, distribution, dissemination or transmission, offering or otherwise making available of all forms of child pornography (via computer systems, the Internet or by other means);
  - (d) The intentional acquisition and possession of child pornography;
  - (e) Trafficking of children for sexual exploitation;
2. Calls on the participating States to conform their legislation on this subject to their relevant international commitments and obligations;
3. Urges the participating States to adopt a holistic approach towards the problem of sexual exploitation of children, addressing root and contributing factors, including the demand that fosters all forms of sexual exploitation of children, and to develop comprehensive and proactive strategies and measures aimed at preventing and combating the sexual exploitation of children;
4. Strongly urges the participating States to take all legal measures to prosecute the sexual exploitation of children, imposing penalties that are effective, proportionate and dissuasive. In this regard, encourages the participating States to consider legal measures that would allow them to prosecute their citizens for serious sexual crimes against children, even if these crimes are committed in another country;
5. Calls upon the participating States to enhance the ability of law enforcement to proactively investigate and prosecute offenders;
6. Calls on the participating States to facilitate legal protection, assistance, appropriate medical care, rehabilitation and reintegration programmes for child victims of sexual exploitation and, where appropriate, to ensure the safe return of trafficked children;

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\* UNGA A/61/299 distributed on 29 August 2006. The Secretary-General's report on Violence against Children was presented on 11 October 2006, to the 3rd Committee of the General Assembly, by the Independent Expert, Paulo Sergio Pinheiro.

7. Calls on the participating States to raise awareness at all levels of society on the problem of the sexual exploitation of children;
8. Advises the participating States to develop compatible and exchangeable data registration systems specific to the sexual exploitation of children, with due regard for the confidentiality of personal data, and to promote comprehensive data collection mechanisms and research on the sexual exploitation of children;
9. Supports measures by the participating States, in collaboration with non-governmental organizations (NGOs) and appropriate representatives of relevant sectors of the economy, such as the travel, hospitality or media industries, to eliminate demand for sexual exploitation of children;
10. Urges increased co-operation among the participating States for the detection, investigation, prosecution and punishment of those responsible for the sexual exploitation of children;
11. Recommends that the participating States establish training programmes concerning sexual exploitation of children for personnel, including those working in the areas of justice, policing, tourism, transport, social work, health care, civil society, religious organizations, and education;
12. Advocates that relevant authorities in the participating States, in accordance with national legislation concerning the protection of personal data, work with Internet service providers, credit-card companies, banks and other corporations as well as relevant NGOs, to ensure information related to the sexual exploitation of children is tracked and reported;
13. Recommends the creation of telephone or Internet hotlines, possibly in collaboration with NGOs, to which individuals can confidentially report instances of sexual exploitation of children, so that such reports can be investigated by law enforcement, and so that victims and their families can receive appropriate support;
14. Takes note of civil society initiatives to combat the sexual exploitation of children, including, *inter alia*, the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism drawn up by ECPAT (End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes);
15. Tasks the OSCE executive structures, within their existing mandates, to examine ways of ensuring appropriate training and awareness raising regarding the problem of sexual exploitation of children for OSCE officials keeping in mind the Code of Conduct for OSCE Officials and Staff Instruction No. 11 addressing trafficking in human beings;
16. Encourages relevant OSCE executive structures, within their existing mandates, to devote attention to the area of sexual exploitation of children, including links to trafficking in persons, and emphasizes the need for them and the participating States to co-operate with other international organizations, NGOs and civil society in combating the sexual exploitation of children.

**DECISION No. 16/06**  
**LEGAL STATUS AND PRIVILEGES AND**  
**IMMUNITIES OF THE OSCE**  
(MC.DEC/16/06 of 5 December 2006)

The Ministerial Council,

Pursuant to the 1992 Helsinki Summit decision to “consider the relevance of an agreement granting an internationally recognized status” to the CSCE’s institutional arrangements,

Recalling subsequent decisions of the 1992 Stockholm Council Meeting and the 1993 Rome Council Meeting, in particular the Rome Council Decision on legal capacity and privileges and immunities (document CSCE/4-C/Dec.2 of 1 December 1993),

In implementation of the relevant provisions of the 1994 Budapest Decisions, the 1999 Charter for European Security and the 1999 Istanbul Summit Declaration,

Taking into account the discussions held in 2000 and 2001 and the report by the Permanent Council to the Ministerial Council on OSCE legal capacity and on privileges and immunities (PC.DEC/383 of 26 November 2000),

Reaffirming further tasks set in that regard by the Ministerial Council at its Ninth Meeting in Bucharest (2001) and its Tenth Meeting in Porto (2002),

Recalling the recommendation of the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE (CIO.GAL/100/05 of 27 June 2005) that the participating States agree on a convention recognizing the OSCE’s legal capacity and granting privileges and immunities to the OSCE and its officials, without changing the politically-binding character of OSCE commitments,

Recalling Ljubljana Ministerial Council Decision No. 17/05 on strengthening the effectiveness of the OSCE,

On the basis of the recommendations of the group of legal experts established by the Chairmanship in 2006 and the report on the implementation of the first operative paragraph of Ljubljana Ministerial Council Decision No. 17/05 of 6 December 2005 on strengthening the effectiveness of the OSCE,

Taking into account that the aforementioned group of legal experts, after having reviewed the implications of the lack of international legal status and uniform privileges and immunities of the OSCE at a technical level, noted the existence of serious problems due to the lack of international legal status and uniform privileges and immunities of the OSCE,

Decides:

1. That the work on a draft convention on the international legal personality, legal capacity, and privileges and immunities of the OSCE will be continued on the basis of the text drafted by the legal experts in 2001 (redistributed as document CIO.GAL/188/06);

2. To establish an informal working group at expert level under the Permanent Council tasked with finalizing a draft convention on the international legal personality, legal capacity, and privileges and immunities of the OSCE. The working group will submit this draft convention to the Ministerial Council through the Permanent Council for adoption by the Ministerial Council, if possible, in 2007.

**Attachment to MC.DEC/16/06**

**INTERPRETATIVE STATEMENT  
UNDER PARAGRAPH IV.1(A)6 OF THE  
OSCE RULES OF PROCEDURE**

By the delegation of the Russian Federation,

“While it has joined the consensus on the Ministerial Council decision on the legal status and privileges and immunities of the OSCE, the Russian delegation continues to insist that the only way of settling this matter in accordance with the norms of international law is to devise a founding OSCE document in the form of a charter or statute. Without a charter, the OSCE cannot be regarded as a fully fledged international organization. We believe it is necessary to proceed from the recommendation made in that connection in the report of the Panel of Eminent Persons, pursuant to which the participating States should devise a concise statute or charter of the OSCE containing its basic goals and principles along with reference to existing commitments and the structure of its main decision-making bodies.

In any case, the entry into force of a convention on privileges and immunities, if and when there is agreement on a draft, will be possible only in conjunction with the entry into force of a statute or charter of the OSCE.

The Russian Federation intends to firmly defend this position during the forthcoming talks within the expert working group on the legal status of the OSCE.

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

**DECISION No. 17/06**  
**IMPROVEMENT OF THE CONSULTATIVE PROCESS**  
(MC.DEC/17/06 of 5 December 2006)

The Ministerial Council,

Bearing in mind the comprehensive approach of the OSCE to security, covering the politico-military, economic and environmental, and human dimensions, while recognizing the need for a cross-dimensional perspective, both in terms of conceptual approach and programme activities,

Taking note of the recommendation of the Panel of Eminent Persons for introducing a committee structure in order to make the consultative and decision-making process more participatory, interactive and transparent, involving all the participating States more actively and effectively, and for broadening the ownership of the participatory process,

Recalling Ljubljana Ministerial Council Decision No. 17/05 on strengthening the effectiveness of the OSCE,

Recognizing the need for improved consultations and dialogue, also with a view to preparing debates, conclusions and decisions in the Permanent Council,

Mindful of the desirability to avoid setting up working groups and to discourage the creation of additional bodies,

Desiring to enhance co-operation, to address new threats to security more effectively and to provide a comprehensive and more effective framework for political dialogue among all the participating States,

Decides to establish the following committees as informal subsidiary bodies of the Permanent Council:

A Security Committee, which will perform the following tasks:

- Discuss non-military and political aspects of security, including implementation of the commitments of the participating States;
- Consider, when so requested by the Chairmanship in consultation with participating States, cross-dimensional issues with a particular connection to non-military aspects of security;
- Support the preparation of the Annual Security Review Conference, taking into account a contribution from the Forum for Security Co-operation (FSC), and other relevant meetings;
- Discuss recommendations to the Permanent Council on the programme of work, including actions to follow up on recommendations made at the above-mentioned meetings;



An Economic and Environmental Committee, which will subsume the existing Economic and Environmental Subcommittee of the Permanent Council and will perform the following tasks, in addition to those set forth in Bucharest Ministerial Council Decision No. 3 on fostering the role of the OSCE as a forum for political dialogue:

- Discuss economic and environmental issues, including implementation of the commitments of the participating States;
- Support the preparation of the meetings of the Economic and Environmental Forum (EEF) and other meetings on economic and environmental issues;
- Consider, when so requested by the Chairmanship in consultation with participating States, cross-dimensional issues with a particular connection to economic and environmental aspects of security;
- Discuss recommendations to the Permanent Council on the programme of work, including actions to follow up on recommendations made by the EEF; and

A Human Dimension Committee, which will perform the following tasks:

- Discuss human dimension issues, including implementation of the commitments of the participating States;
- Support the preparation of the Human Dimension Implementation Meetings and other human dimension meetings;
- Consider, when so requested by the Chairmanship in consultation with participating States, cross-dimensional issues with a particular connection to the human dimension;
- Discuss recommendations to the Permanent Council on the programme of work, including actions to follow up on recommendations made at the human dimension meetings;

Further decides that:

At the beginning of each year, the Chairmanship, in consultation with the participating States, will further clarify the tasks of the above-mentioned Committees and establish a work programme reflecting the objectives and priorities of the Organization, also taking into account the need to ensure adequate coverage of the cross-dimensional issues under consideration.

The Advisory Committee on Management and Finance will continue to operate within its current mandate, as established in Permanent Council Decision No. 552.

The above-mentioned Committees will meet in an informal format and will report, provide advice, make recommendations and prepare relevant decisions for the Permanent Council through the Preparatory Committee. The relevant provisions of the OSCE Rules of Procedure, in particular Chapter V(A), will apply to the work of the Committees.

The Preparatory Committee may be convened by the Chairmanship on an *ad hoc* basis in order to address general and organizational matters relating to the Organization, including the preparation of Ministerial Council/Summit meetings. At the Preparatory Committee meetings, cross-dimensional issues may be addressed, as well as other issues not covered by the three newly established Committees, when in the assessment of the Chairmanship, in consultation with participating States, they merit debate in such a format.

As a rule, each Committee will meet at least once a month. At the initiative of the Chairmanship, or of the chairperson of the Committee, or at the request of one or more participating States, each Committee may meet as frequently as necessary, based on the need for consultations or the necessity to prepare for decision-making by the Permanent Council. The Chairmanship and chairpersons of the Committees will avoid convening meetings of informal subsidiary bodies simultaneously.

The Committees will examine issues within their competence at the request of the Chairmanship, the Permanent Council or one or more participating States.

Paragraphs 6 to 9 of Chapter V(A) of the OSCE Rules of Procedure will apply with regard to participation in meetings of the three newly established Committees in the same way as they apply to participation in meetings of the Preparatory Committee.

The Secretariat of the OSCE will provide support for the activities of the Committees.

This decision will be applicable for a period of one year from 1 January 2007. It will be subject to review by the Permanent Council at the end of 2007, with a view to deciding on its possible extension taking into account the experience gained with the new structure.

**DECISION No. 18/06**  
**FURTHER STRENGTHENING THE EFFECTIVENESS OF**  
**OSCE EXECUTIVE STRUCTURES**

(MC.DEC/18/06 of 5 December 2006)

The Ministerial Council,

Confirming the mandate of the Secretary General as decided at the Ministerial Council Meeting in Stockholm in 1992,

Taking into account subsequent decisions by the meetings of Heads of State or Government, the Ministerial Council and the Permanent Council, *inter alia*, MC(10).DEC/8, MC.DEC/1/03, MC.DEC/15/04, Permanent Council Decisions Nos. 485, 486, 550, 552 and 553, as well as the Report of the Panel of Eminent Persons,

Wishing to improve the effectiveness of the OSCE, including the Secretariat, the institutions and field operations, and, to that end, wishing to clarify the role and responsibilities of the OSCE Secretary General,

Recalling Ljubljana Ministerial Council Decision No. 17/05 on strengthening the effectiveness of the OSCE,

Recalling that the Secretary General derives his/her authority from the collective decisions of the participating States and acts under the guidance of the Chairman-in-Office,

Decides as follows:

1. On further enhancing the role of the OSCE Secretary General, the Ministerial Council:

Reaffirms the mandate of the OSCE Secretary General;

Encourages the Secretary General to make full use of his/her mandate, by, *inter alia*:

- Bringing to the attention of the Permanent Council or the Forum for Security Co-operation (FSC), in consultation with the respective Chairmanship, any matter he/she deems relevant to his/her mandate;
- Contributing to, and participating in, the debates on any of the agenda items, including the review of current issues, *inter alia*, by providing background information, analysis and advice;
- Presenting the Programme Outline and the Unified Budget Proposal in the Permanent Council;
- Maintaining close contacts with all OSCE delegations;

- Reporting, after consultation with the Chairmanship, to the participating States on the Secretariat's monitoring of and follow-up to relevant decisions taken by OSCE decision-making bodies;

Requests the Secretary General to host regular co-ordination meetings with the heads of institutions in order to achieve synergy and to avoid duplication of programmes, while respecting the mandates of the institutions;

Reaffirms the co-ordinating role of the Secretary General under the unified budget process along with his/her responsibility to assist the fund managers in implementing the mandates and policy guidance received from participating States. In this regard, the Secretary General supports the fund managers in the proper application of the Common Regulatory Management System, including Financial and Staff Regulations and Rules and in the further introduction and application of Performance-Based Programme Budgeting. The Secretary General should ensure programmatic co-ordination between the Secretariat, institutions and field operations, as well as between field operations, while respecting their mandates and mandates assigned to the fund managers by the participating States;

Requests the Secretary General to report regularly to the participating States on the progress of introducing and implementing Performance-Based Programme Budgeting and to propose further developments of the system;

Invites the Secretary General to further strengthen the evaluation of the management of the funds and to regularly inform the participating States of the results;

Further requests the Secretary General to support planning, including multi-year planning as appropriate, by fund managers within each field operation and institution, and to organize the necessary co-ordination to that effect;

2. On strengthening the Secretariat, the Ministerial Council:

Tasks the Secretary General to propose a revised post table for approval by the participating States in order to bring the structure of the Secretariat in line with the current requirements and priorities of the Organization;

Further tasks the Secretary General with formulating proposals to the participating States that will strengthen the capacity of the Secretariat;

3. On strengthening the effectiveness of the OSCE field operations, the Ministerial Council:

Agrees that, when the participating State hosting a field operation concurs, the mandate for field operations should be of a one year duration;

Tasks the Secretary General with assisting the Chairmanship in introducing a regular performance evaluation system for heads of missions and deputy heads of missions. The evaluation report shall be established under the responsibility of the Chairmanship. On that basis, calls on the Chairmanship, after consultation with the Secretary General and the host country, to meet annually with each head of mission to discuss the performance of the

mission and progress in fulfilling its mandate. In this context, an appropriate follow up should be considered, with a view towards further strengthening the effectiveness of the mission;

Calls upon the Chairman-in-Office to ensure full transparency and competitiveness in the procedure for the selection of heads and deputy heads of field operations. The names and nationalities of all the candidates for these positions should be made available to all the participating States after the deadline for submission of applications.

**DECISION No. 19/06**  
**STRENGTHENING THE EFFECTIVENESS OF THE OSCE**  
(MC.DEC/19/06 of 5 December 2006)

The Ministerial Council,

Taking into account the recommendations issued by the Panel of Eminent Persons (CIO.GAL/100/05 of 27 June 2005),

In fulfilment of Ministerial Council Decision No. 17/05 on strengthening the effectiveness of the OSCE,

Reaffirming its full adherence to OSCE norms, principles and commitments, as enshrined in particular in the 1975 Helsinki Final Act and the 1990 Charter of Paris for a new Europe, and which apply equally, and to all participating States,

Underlining the role of the Organization as a regional arrangement under Chapter VIII of the UN Charter and as a key instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation,

Reaffirming OSCE's comprehensive approach to security and the importance of all three dimensions, the politico-military, the economic and environmental, and the human dimensions, while keeping in mind that many of its activities are of a cross dimensional nature,

Recognizing the common challenges of the participating States and the need to co-operate in a spirit of partnership and common purpose,

Calling on participating States to make full use of the Organization as a forum for political dialogue,

Encouraging the participating States to take advantage, as appropriate, of the assistance offered by the institutions and the field operations of the OSCE to implement their commitments,

Confirming its determination to strengthen the effectiveness of the OSCE and to keep the Organization and its working practices continuously in line with the requirements of the time and the evolving challenges, pursuing in particular the following objectives:

- Better focusing and prioritizing the work of the Organization in those areas where it has a comparative advantage,
- Ensuring the long-term coherence of priorities and action plans in accordance with OSCE commitments and decisions,
- Improving the transparency and the effectiveness of the decision-making process based on sovereign equality of States and the rule of consensus,

- Fostering among the participating States the sense of common purpose and of shared responsibilities,

## **Section 1: Report of the Permanent Council**

1. Thanks the Permanent Council for the work carried out under Ministerial Council Decision No. 17/05 paragraph 1, and takes note of the report issued under the responsibility of the Chairmanship (MC.GAL/2/06);
2. Recalls the adoption by the Ministerial Council of:
  - The Rules of Procedure of the OSCE (MC.DOC/1/06);
  - The decision on the OSCE Senior Council (MC.DEC/4/06);
  - The decision on improvement of the consultative process;
  - The decision on the legal status and privileges and immunities of the OSCE;
  - The decision on strengthening the effectiveness of OSCE executive structures;
3. Welcomes the adoption by the Permanent Council of:
  - The decision on renaming the OSCE Economic Forum (PC.DEC/743/06);
  - The decision on guidelines for organizing OSCE meetings;
  - The decision on amending OSCE staff regulations and rules;
  - The decision on improving the effectiveness and efficiency of human resources of the OSCE;
4. Expresses the hope that the latter decisions by the Permanent Council will contribute to transparent, fair and consistent recruitment, improve the professionalism of OSCE personnel, enhance the management of its human resources as well as encourage the retention of qualified and talented staff through competitive and equitable procedures; recognizes the need to promote gender balance of personnel as well as wider diversity of national origin of OSCE staff at the various levels;
5. Takes note with appreciation of the positive modifications introduced to the management of the unified budget and of the extra-budgetary resources, which contribute to strengthen the efficiency, effectiveness and transparency of the Organization's activities, including their financing, their evaluation and their assessment;
6. Commends the Secretary General for his efforts to make further improvements to a system, which ensures that extra-budgetary contributions are accepted, budgeted, allocated, expended, monitored, accounted for and reported on under his/her authority and control;

7. Stresses the continuing need to improve the overall regulatory basis for the finances of the OSCE and, in this context, requests the Chairmanship to report to the Permanent Council on the progress made in the negotiations on the Financial Regulations before 31 March 2007; calls on the Permanent Council to adopt these amended Financial Regulations aiming at doing so by 1 July 2007;
8. Considers that further examination is needed as to whether thematic missions could prove a useful and effective tool to address newly emerging security threats, responding particularly to needs encompassing the whole OSCE area, on the understanding that if and when established, they will ultimately be shaped in relation to concrete issues, also taking into account financial implications;
9. Decides that the effort at strengthening the effectiveness of the OSCE described in the provisions of this section and in the decisions referred to in this section shall be pursued and to this effect, tasks the Permanent Council to keep their implementation under review;

## **Section 2: Report of the ODIHR**

1. Thanks the ODIHR for the work carried out under Ministerial Council Decision No. 17/05 paragraph 2 and takes note of its report issued on 10 November 2006;
2. Recognizes that the ODIHR, in implementing its mandate, has demonstrated its ability to assist participating States in fulfilling their human dimension commitments;
3. Reminds the participating States that they should keep their legislation and practices in line with OSCE commitments;
4. Takes note of the assessment regarding the present state of implementation of existing commitments by participating States and emphasizes, in particular, that participating States themselves are responsible for the effective implementation of their commitments undertaken in the OSCE. The ODIHR, in this respect, plays an important role in assisting them;
5. Tasks the Permanent Council, taking into account the recommendations by ODIHR and other relevant OSCE institutions, to address the implementation challenges in the areas outlined in the report, considering making better use of ODIHR assistance;
6. Takes note of the suggestions in the report relating to new commitments and requests the Permanent Council to advise on them, in time for the Ministerial Council meeting in Madrid in 2007;
7. Recognizes ODIHR's expertise in assisting the participating States through its election-related activities, including reviewing election legislation and carrying out election observations;
8. Commits to further develop OSCE's election related activities, and in this context, reaffirms the provisions of the Document of the Copenhagen Meeting on the Human Dimension of the CSCE (1990) as the corner stone of the common OSCE commitments of the participating States to protect and promote human rights and fundamental freedoms, including those that are necessary for achieving democratic elections;



9. Notes that relevant provisions of the Budapest Summit Declaration (1994), the Lisbon Summit Declaration (1996), the Istanbul Summit Declaration (1999), the Charter for European Security (1999) and subsequent decisions of the Ministerial Councils of Porto (2002) and Maastricht (2003) have supplemented those commitments;

10. Reaffirms the commitments of the participating States to invite observers to elections from other participating States, the ODIHR, the OSCE Parliamentary Assembly and appropriate institutions and organizations that wish to observe;

11. Emphasizes that the participating States can themselves effectively contribute to enhance the integrity of the electoral process by seconding observers;

12. Recognizes the ongoing need to ensure accountability, objectivity, transparency and professionalism of election observation;

13. Agrees that ODIHR should put into practice the improvements and recommendations concerning election related activities, including as contained in the report, and particularly as listed below, and will regularly submit reports on their implementation, through its Director, for review by the Permanent Council as appropriate:

- To further strengthen the observation methodology and assistance programmes;
- To ensure as wide as possible geographical coverage in ODIHR's election activities;
- To further diversify the participation of short-term, long-term and "core team" observers based on increased support of a wider range of participating States, by encouraging the participating States to contribute to the diversification fund, by supporting national training efforts and by developing OSCE-wide networks of election observation practitioners;
- While maintaining the highest professional standards, to further increase the transparency of recruitment of members of observation teams, including by active advertising, training, competitive procedures and open rosters for heads of election observation missions and "core team" members, which are regularly communicated to participating States and available through publicly accessible databases;
- To give utmost attention to the independence, impartiality and professionalism of ODIHR's election observation;
- To enhance the linguistic inclusiveness and ensure that languages used would not affect in any way the effectiveness of the observation;

14. Stresses that election observation is a common endeavour involving the OSCE/ODIHR, the OSCE Parliamentary Assembly and other parliamentary institutions;

15. Recognizes that close co-operation with the OSCE Parliamentary Assembly considerably enhances the visibility of the OSCE's election observation efforts, and calls on the ODIHR to continue to work in partnership with the Parliamentary Assembly on election observation missions on the basis of the 1997 Co-operation Agreement;

16. Welcomes the suggestions of further efforts to increase the effectiveness of the ODIHR's assistance provided to the participating States at their request and including by making better use of the Human Dimension meetings.

**DECISION No. 20/06**  
**FUTURE OSCE CHAIRMANSHIP**  
(MC.DEC/20/06 of 5 December 2006)

The Ministerial Council,

Welcoming the proposal by Kazakhstan to assume the function of the OSCE Chairmanship,

Considering that the objective of the OSCE is to reach full implementation of OSCE commitments, norms and values through co-operation between participating States,

Considering that a key reason for OSCE participating States to mandate each other with the highest functional responsibilities is the demonstration of willingness and capacity to exercise leadership in that co-operation,

Considering that participating States are equally entitled to offer this demonstration and therefore equally eligible to exercise up to the highest responsibilities within the OSCE,

Considering that Kazakhstan has committed to a programme of political action and reforms and to exercise leadership in upholding OSCE's commitments, norms and values,

Decides to return to the offer of Kazakhstan to assume the OSCE Chairmanship in 2009 at the latest at its meeting in Spain in 2007.

**Attachment 1 to MC.DEC/20/06**

**INTERPRETATIVE STATEMENT**  
**UNDER PARAGRAPH IV.1(A)6 OF THE**  
**OSCE RULES OF PROCEDURE**

By the delegation of Kazakhstan:

“Mr. Chairperson,

In connection with the adoption of the Ministerial Council decision on the future OSCE Chairmanship, I would like to make an interpretative statement under paragraph IV.1(A)6 of the Rules of Procedure of the OSCE.

Kazakhstan regrets the absence of consensus on the issue of selecting a participating State to carry out the functions of the Chairmanship in the year 2009, despite the fact that there is one, and only one, State which has offered its candidature and the fact that, according to Porto Ministerial Council Decision No. 8 and the OSCE Rules of Procedure, such a decision is to be taken “as a rule two years before the Chairmanship's term of office starts”.

We consider that the decision adopted cannot serve as a precedent for the future of our Organization. In accordance with the 1973 Final Recommendations of the Helsinki Consultations, “all States participating in the” CSCE/OSCE “shall do so as sovereign and independent States and in conditions of full equality”.

We have agreed to this decision with the understanding that the participating States will remain seized of this matter in the course of 2007, in order to allow the potential 2009 Chairmanship sufficient time for preparations, as was the case for previous Chairmanships.

The fact that Kazakhstan has joined a consensus on this particular decision once again shows our adherence to a constructive approach and our respect for the existing positions of all the participating States.

Mr. Chairperson, I request that this interpretative statement be duly registered.”

**Attachment 2 to MC.DEC/20/06**

**INTERPRETATIVE STATEMENT  
UNDER PARAGRAPH IV.1(A)6 OF THE  
OSCE RULES OF PROCEDURE**

By the delegation of the Russian Federation:

“While it has joined the consensus on the Ministerial Council decision on the future OSCE Chairmanship, the Russian delegation confirms that Russia supports Kazakhstan’s bid for the Chairmanship of the OSCE in 2009.

Our position is well known and is in conformity with the decision of the Council of the Heads of State of the Commonwealth of Independent States adopted in Kazan on 26 August 2005.

Moreover, attempts to establish any conditions for determining the Chairmanship of the OSCE are unacceptable to us. This decision should not be regarded as setting a precedent for the future and must not undermine the fundamental principles of the sovereign equality of the OSCE participating States.

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

**DECISION No. 21/06**  
**TIME AND PLACE OF THE NEXT MEETING OF THE**  
**OSCE MINISTERIAL COUNCIL**

(MC.DEC/21/06 of 20 December 2006)

The Ministerial Council,

Decides that the Fifteenth Meeting of the OSCE Ministerial Council will be convened in Madrid on 29 and 30 November 2007.



**III. RULES OF PROCEDURE OF THE  
ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**





# **RULES OF PROCEDURE OF THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE**

(MC.DOC/1/06 of 1 November 2006)

## **I. Participation in the OSCE**

1. All States participating in the OSCE shall do so as sovereign and independent States and in conditions of full equality.
2. Each of the participating States shall decide on its representation in OSCE bodies and at OSCE meetings.

## **II. OSCE decision-making and informal bodies**

### **(A) General provisions**

1. The participating States of the OSCE may establish and dissolve working bodies of the OSCE which are authorized to take decisions and adopt documents having a politically binding character for all the participating States or reflecting the agreed views of all the participating States, hereinafter referred to as OSCE decision-making bodies. Only such bodies shall be regarded as official/formal OSCE bodies. Other bodies shall be regarded as informal bodies.
2. Decisions of the OSCE decision-making bodies shall be adopted by consensus. Consensus shall be understood to mean the absence of any objection expressed by a participating State to the adoption of the decision in question. This paragraph shall apply without prejudice to the earlier adopted CSCE/OSCE documents referred to in Annex 2.
3. Any texts, which have been adopted by a decision-making body by consensus, such as decisions, statements, declarations, reports, letters or other documents, shall hereinafter be referred to as OSCE decisions or OSCE documents. Such documents shall have a politically binding character for all the participating States or reflect the agreed views of all the participating States.
4. Documents issued by the Chairpersons of OSCE decision-making bodies or by OSCE executive structures shall not be regarded as OSCE documents and their texts shall not require approval by all the participating States.
5. Each decision-making body may set up subordinate decision-making bodies or dissolve them. In the former case, the participating States shall clearly define the terms of reference or mandate of these bodies and may amend them whenever appropriate. In the latter case, the tasks of a dissolved decision-making body may be transferred to other decision-making bodies.
6. Each decision-making body may set up informal subsidiary working bodies, hereinafter referred to as informal subsidiary bodies (ISBs), or dissolve them. These ISBs

shall not have a decision-making capacity as specified in paragraph II(A)1 and shall be open to all participating States.

7. Each ISB shall work in accordance with its terms of reference or mandate and shall be accountable and report to a decision-making body hereinafter referred to as the superior decision-making body of that ISB.

8. The decision-making bodies, the Chairpersons of decision-making bodies, and the Chairpersons of ISBs in close consultation with their superior decision-making body, may set up or dissolve *ad hoc*/thematic open-ended informal working bodies, hereinafter referred to as informal working groups (IWGs), which shall not have a decision-making capacity as specified in paragraph II(A)1 and which shall be open to all the participating States.

9. Each IWG shall work in accordance with its terms of reference or mandate and shall be accountable and report to a decision-making body, the Chairperson of a decision-making body or the Chairperson of an ISB, hereinafter referred to as the superior authority of that IWG.

10. When setting up an ISB or IWG, the establishing authority shall clearly define the terms of reference for that body and it may amend them whenever appropriate. When an ISB or an IWG is dissolved, the tasks of the dissolved body may be transferred to other ISBs or IWGs.

11. A conference, seminar, workshop or other meeting which is held by a decision of the participating States shall be referred to hereinafter as an OSCE meeting. The participating States may decide to hold regular OSCE meetings, ad hoc OSCE meetings, or joint OSCE meetings with other international organizations or States.

12. The participating States shall be represented in the decision-making bodies, ISBs, IWGs and OSCE meetings by such delegates and experts, hereinafter referred to as Representatives, as they shall designate for the purpose.

13. The decision-making bodies may establish or dissolve, in keeping with their respective levels of authority, specific structures for the implementation of decisions taken and tasks set by the participating States. Such structures include the Secretariat, institutions, field operations, special representatives or other operational instruments of the Organization, hereinafter referred to as executive structures of the OSCE. When establishing an executive structure, the establishing authority shall clearly define its mandate and it may amend that mandate whenever appropriate. The decision-making body, which created the executive structure, shall constitute its superior authority.

14. Unless otherwise decided by the participating States,

— Algeria, Egypt, Israel, Jordan, Morocco and Tunisia shall hereinafter be referred to as Mediterranean Partners for Co-operation;

— Afghanistan, Japan, Mongolia, the Republic of Korea and Thailand shall hereinafter be referred to as Asian Partners for Co-operation;

- Asian and Mediterranean Partners for Co-operation may also be referred to as Partners for Co-operation;
- The modalities for the participation of the Partners for Co-operation in the work of the OSCE decision-making and informal bodies and OSCE meetings shall be governed by the relevant chapters of this document.

**(B) Structure of the OSCE decision-making bodies**

1. Unless otherwise decided by the participating States, the OSCE shall maintain the following structure of decision-making bodies.
2. The highest OSCE decision-making body is the Meeting of Heads of State or Government (Summit), which takes decisions, sets priorities and provides orientation at the highest political level.
3. The Ministerial Council, consisting of the ministers for foreign affairs of the participating States, is the central decision-making and governing body of the OSCE between Summits. It is the central forum for political consultations within the OSCE and may consider and take decisions on any issue relevant to the Organization. The Ministerial Council shall implement tasks defined and decisions taken by the Meetings of Heads of State or Government. The participating States may decide to convene regular or *ad hoc* meetings of other ministers with decision-making capacity as specified in paragraphs II(A)1 and II(A)5.
4. The Permanent Council (PC) is the principal decision-making body for regular political consultations and for governing the day-to-day operational work of the Organization between meetings of the Ministerial Council. It shall implement, within its area of competence, tasks defined and decisions taken by the Meetings of Heads of State or Government and the Ministerial Council.
5. The PC may convene reinforced PC meetings at the level of political directors or other senior officials from capitals in order to consider issues requiring such a level of representation and to adopt decisions.
6. The PC may also convene special PC meetings in order to discuss matters of non-compliance with OSCE commitments and to decide on appropriate courses of action. Special PC meetings may also be convened for other purposes in the periods when regular PC meetings are not normally held or for the consideration of a particular issue/topic. Decisions adopted at reinforced or special meetings shall have the same force as other decisions of the PC.
7. The Forum for Security Co-operation (FSC) is the autonomous decision-making body with the mandate set in relevant decisions of the Meetings of Heads of State or Government and the Ministerial Council. It shall implement, within its area of competence, tasks defined and decisions taken by the Meetings of Heads of State or Government and the Ministerial Council.
8. The FSC may convene special FSC meetings for the consideration of a particular issue/topic or for other purposes in the periods when regular FSC meetings are not normally

held. Decisions adopted at special meetings shall have the same force as other decisions of the FSC.

9. The PC and the FSC may convene joint meetings to consider issues related to the competence of both bodies and adopt PC and/or FSC decisions.

### **(C) Other structures and institutions**

1. Unless otherwise decided by the PC or a higher-level decision-making body, the PC shall have the following ISBs as specified in paragraph II(A)6: the Preparatory Committee (PrepComm) as the highest-level ISB of the PC, the Advisory Committee on Management and Finance (ACMF), the Economic and Environmental Subcommittee (EESC), the Contact Group with the Mediterranean Partners for Co-operation and the Contact Group with the Asian Partners for Co-operation. (The latter two bodies may also be referred to as Contact Groups with the Partners for Co-operation.)

2. Unless otherwise decided by the FSC or a higher-level decision-making body, the FSC shall have the following ISBs, as specified in paragraph II(A)6: Working Group A, Working Group B and the OSCE Communications Group.

3. The Parliamentary Assembly of the OSCE (OSCE PA), as an autonomous OSCE body which is composed of members of parliament from the OSCE participating States and maintains close relationships with other OSCE structures, determines its own rules of procedure and working methods. The modalities for the participation of the OSCE PA in the work of the OSCE decision-making and informal bodies and in OSCE meetings are set out in chapters IV.1(D), IV.2, V and VI(A) of this document.

4. The OSCE Court of Conciliation and Arbitration, as the body established for settlement, by means of conciliation and, where appropriate, arbitration, of disputes which are submitted to it in accordance with the provisions of the Convention on Conciliation and Arbitration within the CSCE (Stockholm, 1992), determines its own rules, subject to approval by States parties to that Convention. The OSCE rules of procedure, as set out in this document, shall not apply to the Court of Conciliation and Arbitration.

## **III. Chairmanship and Troika**

1. The OSCE Chairmanship-in-Office, hereinafter referred to as the Chairmanship, shall be held for one calendar year by the participating State designated as such by a decision of the Summit or the Ministerial Council, as a rule two years before the Chairmanship's term of office starts.

2. The Chairmanship shall be responsible on behalf of the Ministerial Council and the PC for co-ordination of and consultation on current OSCE business. The functions of the Chairmanship shall be exercised by the minister for foreign affairs (hereinafter referred to as Chairman-in-Office) of that participating State together with his/her staff, including the Chairperson of the PC.

3. In performing its duties, the Chairmanship shall act in accordance with OSCE decisions, and shall be assisted by the preceding and succeeding Chairmanships, operating

together as a Troika. The Chairmanship shall be supported by the executive structures of the OSCE.

4. The FSC Chairmanship shall be held for the period from the end of each recess (winter, spring, summer) to the end of the following recess by the participating States, succeeding each other in the French alphabetical order. The FSC Chairmanship shall be responsible on behalf of the FSC for co-ordination of and consultation on current FSC business.

5. In performing its duties, the FSC Chairmanship shall act in accordance with OSCE decisions, and shall be assisted by the preceding and succeeding FSC Chairmanships, operating together as an FSC Troika. The FSC Chairmanship shall be supported by the relevant executive structures of the OSCE. Should a participating State waive its turn to chair the FSC, it will have the option of participating in the FSC Troika as an additional member during the period in which it was due to exercise the chairmanship.

## **IV. Rules of procedure for decision-making bodies**

### **IV.1 General rules**

#### **(A) Procedural aspects of decision-making**

1. Proposals for draft decisions may be initiated by the Chairmanship or FSC Chairmanship, as appropriate, or by any participating State or group of participating States. Proposals of participating States or groups of participating States shall be submitted in writing to the Chairperson of the relevant decision-making body and circulated as soon as possible to all participating States.

2. The Chairperson shall ensure that draft decisions are considered in an appropriate IWG, ISB and/or subordinate decision-making body of the decision-making body to which the draft decision has been submitted, or otherwise discussed by all the participating States prior to the submission of the draft decision for adoption.

3. The Chairperson shall submit the draft decision for adoption by including it in the draft agenda of an appropriate meeting if it has been forwarded to him/her by a subordinate decision-making body or ISB. The Chairperson may also submit draft decisions for adoption on his/her own initiative if the conditions set out in paragraph IV.1(A)2 are met.

4. The absence of a Representative at a meeting of a decision-making body shall not be considered as an objection of that participating State or constitute an obstacle to the adoption of decisions at that meeting.

5. Decisions shall be adopted at meetings of decision-making bodies or, if so determined by consensus, through the application of a silence procedure. The modalities for the application of a silence procedure by the Ministerial Council, the PC and the FSC are set out in Annex 1.

6. Representatives may ask for their formal reservations or interpretative statements concerning given decisions, including those through a silence procedure, to be duly registered by the Secretariat and circulated to the participating States. Such formal reservations and interpretative statements must be submitted in writing to the Secretariat.\*

7. Each decision shall enter into force on the date of its adoption unless otherwise specified in the text of the decision. If a decision has been adopted through a silence procedure, the date of the expiration of the period of silence shall be regarded as the date of adoption of the decision.

8. Once adopted, decisions shall not require an additional endorsement or approval by a higher-level decision-making body. Draft decisions requiring adoption by a higher-level decision-making body shall be forwarded, without adoption, to that decision-making body.

9. Any decision may be amended or overruled by the same decision-making body that has adopted the decision, unless this decision-making body specifies that a lower-level decision-making body may amend or overrule it. Any decision may be amended or overruled by a higher-level decision-making body.

10. Texts of documents for adoption jointly by the OSCE participating States and other parties, including international organizations, shall be adopted by a decision of a relevant OSCE decision-making body. Such a decision shall contain provisions ensuring that a joint document with other parties comes into effect for the OSCE upon that document's entry into force for the other parties or for the OSCE, whichever is the later.

#### **(B) Working languages and official records**

1. The working languages of the OSCE shall be: English, French, German, Italian, Russian and Spanish.

2. Meetings of the decision-making bodies shall be conducted with interpretation between the working languages. Exceptionally, the Chairperson of a decision-making body may suggest, giving a clear explanation of the reasons, that, with the consent of the participating States, a meeting or a part of a meeting should be held in one language only, without interpretation.

3. Any Representative may make a statement in a language other than the working languages. In this case, he/she shall himself/herself provide for interpretation into one of the working languages.

4. Proceedings of the meetings of decision-making bodies shall be recorded in the journals of meetings, which shall constitute the only official OSCE records. These shall be issued both on paper and in electronic format in all the working languages, and shall be made public.

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\* This paragraph is intended to codify past and existing CSCE/OSCE practice with regard to formal reservations and interpretative statements.

5. The journals shall be in a standard OSCE format and shall contain the following information about a meeting: the date(s), the time of opening/suspension/resumption/closing, name(s) of the Chairperson(s), subjects discussed, lists of statements made under each agenda item and sub-item (with reference numbers of statements distributed), records of decisions adopted, as well as the date, time and place of the next meeting.

6. The texts of decisions, with interpretative statements and formal reservations attached, if any, shall be circulated to the participating States in all the working languages in a standard OSCE format, shall be appended to the journal of the meeting at which the decision has been adopted and shall be made public. The texts of decisions adopted by a decision-making body through a silence procedure shall be appended to the journal of the first meeting of that body following the expiration of the silence period.

7. Statements made at a meeting may be annexed to the journal of the meeting if so requested by a Representative at the meeting and agreed by the Chairperson. Such documents shall be submitted in writing to the Secretariat. The Chairperson may, if necessary, annex to the journal other documents relevant to that particular meeting, including Chairperson's statements, after announcing that at the meeting.

8. The journals shall be issued by the Secretariat as soon as possible, upon approval of their contents by the Chairperson(s) of the meeting in question.

9. Language conforming of the translations of documents adopted by the Ministerial Council and Meetings of Heads of State or Government shall be organized by the respective Chairmanship, following the distribution in all the working languages of the journal(s) of the respective meeting(s). Originally adopted texts of those documents or texts of documents not falling within the meaning of paragraph II(A)3 shall not be subject to language conforming.

10. The final document of each Ministerial Council meeting or Meeting of Heads of State or Government shall be compiled in a standard OSCE format as a separate volume, the contents and structure of which shall be defined by the respective Chairmanship with the assistance of the Secretariat. The final document shall contain the texts of all the documents adopted at the meeting, the texts of other documents annexed to its journal(s) and the texts of selected reports and letters submitted to that meeting. The final document shall be printed and issued in an electronic format in all the working languages.

11. All statements made at meetings of decision-making bodies in working languages other than English and subsequently distributed to all the participating States in a written form shall be translated by the Secretariat into English.

### **(C) Conduct of meetings**

1. Any meeting of a decision-making body shall be conducted in accordance with an agenda. Decision-making bodies shall keep standing items on the agenda of their meetings: "review of current issues", "general statements", or "security dialogue" (as appropriate to the purview of the decision-making body), and "any other business", under which any issue may be raised by any participating State. Titles of documents to be adopted at a meeting of the PC or FSC shall be included in the draft agenda as separate items or sub-items, pursuant to paragraph IV.1(A)3.

2. Draft agendas for Summits and Ministerial Council meetings shall be prepared and issued by the Chairmanship and forwarded to the Chairperson of the Summit or the Ministerial Council meeting by a PC decision. The agenda shall be formally adopted at the beginning of the meeting and appended to the journal of that meeting.
3. Draft agendas of the meetings of the PC shall be prepared and issued in advance by the Chairmanship, taking into account views expressed by participating States. The Chairperson shall announce the agenda at the beginning of the meeting. If a reservation is expressed by a participating State regarding a non-standing item of the draft agenda, the Chairperson shall decide on the agenda of that meeting as appropriate.
4. Draft agendas of the FSC shall be prepared by the FSC Chairmanship and discussed in the FSC Troika. The draft agendas shall thereafter be issued and agreed upon by the FSC at the beginning of each meeting.
5. The Chairperson shall ensure the good order and smooth running of meetings.
6. During the meetings, the Chairperson shall keep a list of speakers to which all Representatives shall have equal and unhindered access.
7. During the meetings, the Chairperson may declare the list of speakers closed with the consent of the meeting. If a statement made after the closure of the list of speakers makes desirable a reply by a Representative, the Chairperson shall accord the right of reply to that Representative, at his/her request.
8. If a Representative wishes to raise a point of order, he/she shall communicate that wish to the Chairperson, and the latter shall give him/her the floor immediately. A Representative raising a point of order may not speak on the substance of the matter under discussion.
9. The Chairperson may change the order of consideration of agenda items with the consent of the meeting. He/she may suspend and resume the meeting as he/she deems necessary.
10. At the meetings of the decision-making bodies each participating State shall have one seat at the main table with a nameplate.
11. At the meetings of the decision-making bodies, the European Commission shall have one seat next to the participating State holding the EU Presidency.

**(D) Other participants**

1. Representatives of the OSCE PA and of executive structures may attend meetings of the decision-making bodies. They may make oral contributions at the invitation of the Chairperson of a meeting under an item on the agenda. They shall not participate in the drafting of documents, but may comment on drafts that directly concern them, at the invitation of the Chairperson.
2. The Partners for Co-operation and international organizations, institutions and initiatives may be invited by the participating States, on a regular or case-by-case basis, to



attend meetings of decision-making bodies and make oral and/or written contributions, without the right to participate in the drafting of documents. Unless otherwise agreed by the participating States, the specific modalities for their participation at meetings of decision-making bodies, as set out in this chapter and chapter IV.2 below, shall apply.

3. Japan may attend and make both oral and written contributions at meetings of the decision-making bodies, without the right to participate in the drafting of documents.

4. Other Partners for Co-operation may attend and make both oral and written contributions at the Meetings of Heads of State or Government and Ministerial Council meetings and, upon invitation by the respective Chairperson, at certain meetings of the PC and the FSC, without the right to participate in the drafting of documents.

5. Representatives of other international organizations, institutions and initiatives, as well as non-governmental organizations (NGOs), academia and business may be invited by the participating States, on a case-by-case basis, to attend certain meetings of decision-making bodies and make oral and/or written contributions.

6. The participating States may decide to make certain meetings or sessions during meetings of decision-making bodies open to NGOs, the press and the public.

## **IV.2 Specific rules**

### **(A) Meetings of Heads of State or Government**

1. The time and venue of Meetings of Heads of State or Government shall be determined by the Ministerial Council or the PC. A Meeting of Heads of State or Government or the Ministerial Council may decide on the frequency of Summits.

2. The decision on the timetable and organizational modalities for each Meeting of Heads of State or Government shall be adopted by the PC not later than two months before the meeting.

3. The Meetings of Heads of State or Government shall have a duration of not more than two days, as a rule, and shall consist of several plenary sessions, including opening and closing plenary sessions.

4. The Chair at the opening and closing sessions shall be taken by the host country. The Chair at other plenary sessions shall be taken by the Troika countries or those participating States designated by the PC.

5. The Meetings of Heads of State or Government shall be open to the press and the public, and the proceedings shall be broadcast live in all the working languages to the media centre and NGO centre by closed-circuit television, unless otherwise decided by the participating States.

6. For each Meeting of Heads of State or Government, the PC shall specify the list of international organizations, institutions and initiatives to be invited to attend and to make oral and/or written contributions.

7. The order of statements by the participating States shall be established by the drawing of lots. The European Commission may take the floor immediately after the participating State holding the EU Presidency.

8. The President of the OSCE PA shall be invited to address the Meeting of Heads of State or Government at the opening session.

9. The Partners for Co-operation shall be invited to address the Meeting of Heads of State or Government after the statements by the participating States in the order established by the drawing of lots.

10. Other participants invited to address the Meeting of Heads of State or Government pursuant to paragraph 6 above will speak in the order established by the PC.

11. Statements at the meetings should not exceed five minutes.

#### **(B) Meetings of the Ministerial Council**

1. The time and venue of the Ministerial Council meetings shall be determined by the Ministerial Council or the PC. The Ministerial Council shall meet, as a rule, once a year in the country holding the Chairmanship, unless otherwise decided by the participating States.

2. The decision on the timetable and organizational modalities for each Ministerial Council meeting shall be adopted by the PC not later than one month before the meeting.

3. The meetings shall have a duration of not more than two days and shall consist of several plenary sessions, including opening and closing plenary sessions.

4. The meetings shall be chaired by the Chairman-in-Office. The Chair at plenary sessions, other than opening and closing plenary sessions and those taking up agenda items which are subject to discussion and possible decision, may be delegated to the preceding and/or incoming Chairman-in-Office.

5. For each meeting, the PC shall specify the list of international organizations, institutions and initiatives to be invited to attend and to make oral and/or written contributions.

6. Only the opening and closing sessions shall be open to the press and the public, unless the meeting decides to make other sessions open. Unless otherwise decided, all sessions, except for those taking up agenda items which are subject to discussion and possible decision, shall be broadcast live in all the working languages to the media centre and NGO centre by closed-circuit television.

7. The order of statements by the participating States shall be established by the drawing of lots. The European Commission may take the floor immediately after the participating State holding the EU Presidency.

8. The President of the OSCE PA shall be invited to address the meeting at the opening session.

9. The Partners for Co-operation shall be invited to address the meeting after the statements by the participating States in the order established by the drawing of lots.
10. Other participants invited to address the meeting pursuant to paragraph 5 above will speak in the order established by the PC.
11. Statements at the meetings should not exceed five minutes.

**(C) Meetings of the PC and FSC**

1. The meetings of these bodies shall take place, as a rule, once a week in Vienna. They may also be held at the venue of the Ministerial Council meetings and Meetings of Heads of State or Government, or elsewhere, if so decided by the participating States. The PC and FSC meetings shall be convened and chaired by the respective Chairperson or his/her representative.
2. The Chairmanship shall determine exact dates for the winter, spring and summer recesses during which meetings shall not, as a rule, be held.
3. The Chairperson may invite the States specified in paragraph IV.1(D)4 to certain meetings.
4. The Chairperson may invite high-level officials from the participating States and other international organizations, institutions and initiatives to address a meeting as a guest speaker.
5. Unless otherwise decided by the participating States, the meetings shall be closed to the press and the public. The Chairperson may allow the presence of the press during presentations of guest speakers. He/she may allow the presence of a limited number of visitors upon request of a participating State or the Secretariat.
6. The order of statements for each agenda item or sub-item shall be established by the Chairperson according to the order of requests for the floor. Such requests may be communicated to the Chairperson in advance.
7. Statements at the meetings shall not, as a rule, be limited in time. The Chairperson may request speakers to limit the length of their interventions if there is a time constraint for the duration of a meeting.

**(D) Joint meetings of the PC and FSC**

1. Joint FSC–PC meetings may be convened by the Chairpersons of both bodies when necessary and shall be co-chaired by both of them or their representatives.
2. The rules contained in paragraphs IV.2(C)3 to IV.2(C)7 shall apply, *mutatis mutandis*, to joint FSC–PC meetings.
3. PC and/or FSC decisions may be adopted at the joint FSC–PC meetings. The journals of the meetings shall be issued as set out in chapter IV.1(B).

## **V. Rules of procedure for informal bodies**

### **(A) Informal subsidiary bodies of the decision-making bodies**

1. The work of an ISB shall be co-ordinated by its Chairperson, who shall be accountable and report to the Chairperson of the superior decision-making body, as set out in paragraph II(A)7.
2. Unless otherwise laid down in the terms of reference of an ISB, the functions of the Chairperson of an ISB shall be exercised by a representative of the Chairmanship or the FSC Chairmanship, as appropriate. In cases where an ISB is chaired by a representative of another participating State or the Secretariat, the overall responsibility for the work of that ISB shall remain with the Chairmanship or the FSC Chairmanship, as appropriate. Unless otherwise decided by the participating States, the latter provision shall relate to the following ISBs:
  - (a) The ACMF, during a calendar year, shall be chaired by a representative of the Chairmanship from 1 January to 30 September and by a representative of the incoming Chairmanship from 1 October to 31 December;
  - (b) The Contact Group with the Mediterranean Partners for Co-operation shall be chaired by a representative of the incoming Chairmanship;
  - (c) The Contact Group with the Asian Partners for Co-operation shall be chaired by a representative of the preceding Chairmanship;
  - (d) The OSCE Communications Group shall be chaired, on behalf of the Chairmanship, by a representative of the OSCE Secretary General.
3. The agenda for the meetings of an ISB shall be prepared and issued in advance by its Chairperson, who shall include in the agenda an appropriate item, such as “any other business”, under which Representatives may raise any issue. The Chairperson may include additional items in the agenda if so requested by a Representative before or at the beginning of the meeting.
4. There shall be no official records kept for the meetings of ISBs. The Chairperson of an ISB may issue informal summaries or reports of the meetings unless otherwise laid down in the ISB’s terms of reference.
5. The meetings of ISBs shall not, as a rule, be provided with interpretation between the working languages. Subject to availability of resources and in accordance with relevant provisions of paragraph (43) of Chapter V of the 1992 Helsinki Decisions, the Chairperson of the relevant superior decision-making body may decide otherwise for certain ISB meetings.
6. Unless otherwise decided for certain ISBs by the relevant superior decision-making body, representatives of the OSCE PA and of executive structures may attend and observe the meetings of the following ISBs: PrepComm, ACMF, EESC, both Contact Groups, Working Groups A and B. They shall not participate in the drafting of documents, but may comment

on drafts or on other matters that directly concern them, and are related to the items on the agenda, upon invitation of the Chairperson.

7. Unless otherwise decided for certain ISBs by the relevant superior decision-making body, the Partners for Co-operation may attend the meetings of the following ISBs, without the right to participate in the drafting of documents:

- (a) Japan — PrepComm, EESC, Working Groups A and B, Contact Group with the Asian Partners for Co-operation;
- (b) Other Partners for Co-operation — their respective Contact Groups.

8. The relevant superior decision-making body may decide to invite the OSCE PA and the Partners for Co-operation to the meetings of ISBs that are not listed in paragraphs 6 and 7 above. The Chairperson of an ISB may invite, on a case-by-case basis, representatives of the OSCE PA and Partners for Co-operation to certain meetings of that ISB, where such attendance is not already stipulated by paragraphs 6 and 7 above.

9. The meetings of ISBs shall be closed to the press and the public. The Chairperson of an ISB may invite representatives of relevant international organizations and guest speakers to certain meetings of that ISB on a case-by-case basis and without the right to participate in the drafting of documents.

**(B) Informal working groups**

1. The work of an IWG shall be co-ordinated by its Chairperson, who shall be appointed by and be accountable to and shall report to its superior authority, as set out in paragraph II(A)9.

2. There shall be no official records kept for the meetings of IWGs. The Chairperson of an IWG may issue informal summaries or reports of the meetings unless otherwise laid down in its terms of reference.

3. The meetings of IWGs shall not, as a rule, be provided with interpretation between the working languages.

4. Representatives of the OSCE PA and of executive structures may attend and observe the meetings of IWGs. They shall not participate in the drafting of documents, but may comment on drafts or on other matters that directly concern them, and are related to the items on the agenda, upon invitation of the Chairperson.

5. The Chairperson of an IWG may invite Partners for Co-operation, representatives of relevant international organizations and guest speakers to certain meetings of that IWG on a case-by-case basis. The meetings of IWGs shall be closed to the press and the public.

## **VI. Conferences, seminars, workshops and other meetings**

### **(A) OSCE meetings**

1. OSCE meetings shall not have a decision-making capacity, as specified in paragraph II(A)1 and shall be open to all the participating States. Documents produced at such meetings shall not be considered as OSCE documents, as defined in paragraph II(A)3.
2. The participating States shall adopt decisions regarding the time, venue, theme(s), agenda, timetable and organizational modalities for each OSCE meeting or for a series of OSCE meetings. Unless otherwise laid down in those decisions, the following general rules of procedure shall be applied at the OSCE meetings:
  - (a) All plenary sessions shall be conducted with interpretation between the working languages. Exceptionally, the chairperson may suggest, giving a clear explanation of reasons, that, with the consent of the participating States, a part of a meeting conducted outside of the agreed timetable should be held in one language only, without interpretation.
  - (b) The chairperson or moderator shall ensure the good order and smooth running of meetings.
  - (c) All participants shall have equal access to the list of speakers. The order of statements shall be determined by the chairperson or moderator according to the order of requests for the floor. Such requests may be communicated to the chairperson in advance unless a certain time is set for the opening of the list of speakers. The chairperson or moderator may change the order of statements if necessary.
  - (d) During a meeting, the chairperson or moderator may declare the list of speakers closed. If a statement made after the closure of the list of speakers makes desirable a reply by a Representative, the chairperson or moderator shall accord the right of reply to that Representative, at his/her request.
  - (e) If a Representative wishes to raise a point of order, he/she shall communicate that wish to the chairperson or moderator, and the latter shall give him/her the floor immediately. A Representative raising a point of order may not speak on the substance of the matter under discussion.
  - (f) Statements shall be limited in time. The chairperson or moderator may establish and change the time limit for statements.
  - (g) The OSCE PA and the Partners for Co-operation shall be invited to attend and make both oral and written contributions at OSCE meetings.
  - (h) Official records (standard OSCE journals, as specified in chapter IV.1(B)) shall be kept and issued for the following regular OSCE meetings: Review Conferences, Annual Security Review Conferences (ASRC), Annual Implementation Assessment Meetings (AIAM), Economic and Environmental Forums (EEF) and Human Dimension Implementation Meetings (HDIM).

(i) A report or summary of an OSCE meeting may be issued by the Chairmanship, the FSC Chairmanship or a relevant executive structure, as appropriate.

**(B) Meetings organized by the Chairmanship, the FSC Chairmanship or an executive structure**

1. An OSCE-related conference, seminar, workshop or other open meeting which is held by the Chairmanship, the FSC Chairmanship or an executive structure without a specific decision of the participating States shall not be referred to as an OSCE meeting. The organizers of such meetings shall not be required to apply the rules of procedure set out in sub-paragraphs (a) to (i) of paragraph VI(A)2 above.

2. Such meetings shall not have a decision-making capacity, as specified in paragraph II(A)1, and shall be open to all the participating States. Documents produced at such meetings shall not be considered as OSCE documents, as defined in paragraph II(A)3.

3. The host(s) or organizer(s) of such meetings shall, as appropriate, inform the participating States about the time, venue, theme(s), agenda, timetable and organizational modalities of the meeting concerned, and provide the participating States with its report or summary.

## **VII. Final provisions**

1. These rules of procedure shall complement provisions of OSCE documents adopted earlier. In case of contradiction with OSCE documents adopted earlier, the rules of procedure contained in this document shall take precedence.

2. Pursuant to paragraph IV.1(A)9, the PC and FSC may decide, within their respective competencies, whenever necessary, to recommend to the Ministerial Council amendments to these rules of procedure. The Ministerial Council will decide whether to adopt the amendments recommended, if necessary through the application of the procedure set out in Annex 1(B), and will issue revised rules of procedure, as appropriate.

**Annex 1 to MC.DOC/1/06**

### **(A) APPLICATION OF A SILENCE PROCEDURE IN THE PERMANENT COUNCIL AND THE FORUM FOR SECURITY CO-OPERATION**

1. The Chairperson may suggest the adoption of a decision through a silence procedure. Such a suggestion shall be made during a meeting, with an indication of the exact time for the expiration of the period of silence. If there is no objection expressed by a Representative at that meeting, the decision shall be regarded as placed under a silence procedure.

2. Immediately after that meeting, the Secretariat shall issue an interim text of the decision without a number and with a temporary title reflecting the fact that the decision is

subject to a silence procedure. The interim text shall be appended to the journal of that meeting.

3. The silence shall be regarded as broken if an objection or an amendment has been communicated by a participating State to the Chairperson in writing before the expiration of the silence period. In this case, the Chairperson shall immediately inform the participating States in writing that the decision in question has not been adopted.
4. If the silence has not been broken, the Chairperson, immediately after the expiration of the silence period, shall inform the participating States in writing that the decision in question has been adopted. The text of the decision shall not be issued until the next meeting. If urgent administrative actions are to be taken on the basis of that decision, the Chairperson may send the text of the decision to a relevant executive structure strictly for internal use.
5. At the first meeting following the adoption of the decision, the Chairperson shall make an announcement concerning the adoption of the decision.
6. Immediately after that meeting, the decision, with interpretative statements and formal reservations attached, if any, shall be issued by the Secretariat in a standard OSCE format and appended to the journal of that meeting. The date of the expiration of the silence period shall be regarded as the date of adoption of the decision.

### **(B) PROCEDURE FOR ADOPTING MINISTERIAL COUNCIL DECISIONS IN THE PERIOD BETWEEN MEETINGS OF THE MINISTERIAL COUNCIL**

1. The Chairmanship shall circulate the text of a draft Ministerial Council decision to the participating States. After consensus has been reached or approached on the draft Ministerial Council decision, the Chairmanship shall issue a draft PC decision, hereinafter referred to as a PC recommendation, on forwarding the decision in question to the Ministerial Council and recommending its adoption through a silence procedure. This draft PC decision may also contain a recommendation regarding the exact time of the expiration of the period of silence.
2. The PC shall, as a rule, adopt its recommendation without putting it under a silence procedure. If, nevertheless, a silence procedure is applied for the PC recommendation, then the next step (paragraph 3 below) shall be postponed until the expiration of the PC's period of silence, which shall be regarded as the date of entry into force of the PC recommendation.
3. Immediately after the entry into force of the PC recommendation, the Chairman-in-Office (CiO) shall circulate a letter to the other members of the Ministerial Council, which shall announce a silence procedure on the draft Ministerial Council decision and shall be sent as a restricted document, with the draft Ministerial Council decision attached, through the OSCE delegations in Vienna. This letter shall fix the exact time for the expiration of the silence period, which shall not be earlier than five days following the date of the circulation of the letter.
4. The silence shall be regarded as broken if an objection or amendment has been communicated by a participating State to the Chairmanship in writing before the expiration of



the silence period. In this case, the Chairmanship shall immediately inform the participating States in writing that the decision in question has not been adopted.

5. If the silence has not been broken, the CiO shall circulate, immediately after the expiration of the silence period, a letter to the other members of the Ministerial Council announcing the adoption of the Ministerial Council decision. The text of the Ministerial Council decision shall not be issued until the next PC meeting.

6. At the first PC meeting following the adoption of the Ministerial Council decision, the Chairperson of the PC shall make an announcement about the adoption of the Ministerial Council decision.

7. Immediately after that PC meeting, the Ministerial Council decision, with the interpretative statements and formal reservations attached, if any, shall be issued by the Secretariat in a standard OSCE format and appended to the journal of that PC meeting. The date of the expiration of the silence period shall be regarded as the date of adoption of the Ministerial Council decision. The text of the CiO's letter mentioned in paragraph 5 above shall be annexed to the journal of that PC meeting, for the record.

8. At the first Ministerial Council meeting following the adoption of the Ministerial Council decision, the CiO shall announce that the decision has been adopted through a silence procedure, and the decision, with the interpretative statements and formal reservations attached, if any, shall be appended to the journal of that Ministerial Council meeting.

\* \* \* \* \*

9. The Ministerial Council may place draft decisions under a silence procedure at the meetings of the Ministerial Council. In this case, the consecutive procedure set out in paragraphs (A)1-2 and (B)4-8 of Annex 1 shall be applied.

**Annex 2 to MC.DOC/1/06**

## **PROVISIONS RELATED TO PARAGRAPH II(A)2**

Paragraph II(A)2 shall apply without prejudice to the following provisions of earlier adopted CSCE/OSCE documents:

- Paragraph 16 of Chapter IV of the Prague Document on Further Development of CSCE Institutions and Structures (1992),
- Paragraph 4 (d) of the Decisions of the Third Meeting of the Council (Stockholm, 1992),
- Decision on Peaceful Settlement of Disputes (Stockholm, 1992).

**Attachment 1 to MC.DOC/1/06**

**INTERPRETATIVE STATEMENT  
UNDER PARAGRAPH IV.1(A)6 OF THE  
OSCE RULES OF PROCEDURE**

By the delegation of Ukraine:

“In connection with the adoption of the OSCE Rules of Procedure, we would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

Ukraine has joined the consensus on the Rules or Procedure of the Organization for Security and Co-operation in Europe and welcomes the adoption of that document.

We understand that paragraph IV.1(A)6 and both sections of Annex 1 of the OSCE Rules of Procedure reflect past and existing CSCE/OSCE practice with regard to formal reservations and interpretative statements.

Our understanding of this practice and of the adopted rules is that possible formal reservations or interpretative statements concerning given decisions are delivered orally during the meeting at which the decision in question is adopted or, in cases where a silence procedure is applied in accordance with section (A) or section (B) of Annex 1, at the first meeting following the successful expiration of the silence period, immediately after the Chairperson’s announcement about the adoption of the decision in question.

It is also our understanding that no interpretative statements or formal reservations can be made by a participating State and circulated or registered by the Secretariat after the texts of decisions, with interpretative statements and formal reservations attached, if any, are circulated to the participating States in accordance with paragraph IV.1(B)6, paragraph 6 of Annex 1(A) and paragraph 7 of Annex 1(B).

Mr. Chairperson, we ask for this interpretative statement to be duly registered by the Secretariat.”

**Attachment 2 to MC.DOC/1/06**

**INTERPRETATIVE STATEMENT  
UNDER PARAGRAPH IV.1(A)6 OF THE  
OSCE RULES OF PROCEDURE**

By the delegation of the Russian Federation:

“Having joined the consensus regarding the decision of the Ministerial Council on the OSCE Rules of Procedure, we take the position that the adoption of this document signals a useful, even if modest, step in reforming the OSCE and in placing its work on a firm

normative basis in the form of a single compendium of clear and collectively agreed rules, as befits a fully fledged international organization.

We believe that it will be necessary in the future to continue work on the codification of existing procedural practices within the OSCE, supplementing the Rules of Procedure adopted with provisions referring, *inter alia*, to the procedures governing the activities of OSCE institutions and field operations.

We would request that this statement be attached to the decision adopted and included as an annex to the journal of the day.”



**IV. STATEMENTS BY THE CHAIRMAN-IN-OFFICE  
AND DELEGATIONS**



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

(Annex 1 to MC(14) Journal No. 2 of 5 December 2006)

Mr. Chairperson,

In connection with the adoption of the decision on strengthening the effectiveness of the OSCE, I should like to make the following statement on behalf of the delegation of the Republic of Belarus.

“The Republic of Belarus believes it is of fundamental importance to continue the reform of the OSCE with a view to strengthening it and adapting it to the current challenges. Particular attention should be paid to improving the work of the Office for Democratic Institutions and Human Rights in the field of election monitoring, with regard to which we still have serious concerns.

We hope that the implementation of this decision will be duly reflected in the work of the Permanent Council of our Organization next year.

We request that this statement be included in the journal of the day as an annex.”

Thank you, Mr. Chairperson.

## **CHAIRPERSON'S PERCEPTION**

### **Statement by the Chairman-in-Office at the Third Plenary Session of the Fourteenth Meeting of the OSCE Ministerial Council**

(Annex 2 to MC(14) Journal No. 2 of 5 December 2006)

The Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe (OSCE) met in Brussels on 4 and 5 December 2006 to reiterate the importance of the commitments participating States have undertaken in the framework of the Organization for Security and Co-operation in Europe and to stress the need for continued implementation.

Ministers reaffirm their belief in the Organization's continued ability to define and implement appropriate responses to commonly defined threats and challenges to the overall security in the OSCE region.

The three dimensions of the OSCE continue to offer a unique approach to security. Ministers therefore welcome strengthening work, in a balanced manner, in all dimensions, while at the same time recognizing the need to continue to pursue cross-dimensional aspects of security.

Ministers adopted several decisions on strengthening the effectiveness of the OSCE, thanking the Permanent Council for its work in this area and the ODIHR for its report to the Ministerial Council.

Building on the examples of the Donors' Conference for Economic Rehabilitation in the South Ossetian-Georgian Conflict Zone and the OSCE-led Environmental Assessment Mission in the fire-affected territories in and around Nagorno-Karabakh, Ministers are determined to continue efforts to build confidence in conflict areas. Early warning, conflict prevention, crisis management and post-conflict rehabilitation remain at the centre of attention. Most of the Ministers call on all parties involved to show the necessary political will to create a peaceful OSCE region through negotiated solutions.

Most of the Ministers urge States Parties to the Treaty on Conventional Armed Forces in Europe (CFE Treaty) to fulfil the outstanding commitments undertaken at the 1999 Istanbul Summit. Most Ministers welcome the agreements signed on 31 March 2006 by the Russian Federation and Georgia, following the Joint Statement of the Foreign Ministers of the Russian Federation and Georgia of 30 May 2005, which have led to substantial progress on the ground, and call for completion of this process. Taking note of the fact that, as regards Moldova, no progress could be registered in 2006, most of the Ministers call on the Russian Federation and the parties concerned to allow the process of withdrawal of ammunition and related military personnel to resume expeditiously. Ministers reaffirm their shared determination to promote the entry into force of the Adapted CFE Treaty.

The OSCE has a well-earned reputation for dealing with the politico-military aspects of security. The Seminar on Military Doctrine as well as the special FSC meeting on the Code of Conduct on Politico-Military Aspects of Security showed that the Organization's work in arms control and confidence- and security-building measures continues to play an



important role in fostering security, peace and co-operation in the OSCE area. In parallel, as new threats have emerged, the OSCE response in the fields of non-proliferation, action against terrorism and countering the risks from SALW and from excessive stockpiles of conventional ammunition, which includes rocket fuel mélange, plays an important complementary role in fostering security in the OSCE area. The FSC meeting on SALW and the FSC workshop on the implementation of UNSCR 1540 (2004) were important building blocks for future work.

Arms control, disarmament, and confidence- and security-building measures remain essential in the OSCE's comprehensive security concept. The CFE Treaty continues to be a cornerstone of European security. The States Parties at the Third Review Conference of the CFE Treaty this year emphasized the important contribution of the CFE regime to security in the OSCE region.

Ministers welcome the continued implementation of the Treaty on Open Skies and the progress achieved. They are confident that the continuing implementation of the Treaty will further contribute to the promotion of openness, transparency and stability in the OSCE area. Most of the Ministers also encourage and welcome more OSCE participating States to join the Treaty. They take note that one application for accession is still on the agenda of the Open Skies Consultative Commission.

The OSCE plays an important role in security sector governance and has over the years gained considerable experience in this field. Ministers agree to consider taking stock of the OSCE's experience in 2007.

Ministers remain united in their firm stand against terrorism in all its forms and manifestations, and extend full support to the programme of the 2007 Spanish Chairmanship, which will continue the work by previous Chairmanships. The OSCE will, through the implementation of its Strategy to Address Threats to Security and Stability in the Twenty-First Century, continue to facilitate international efforts to prevent and combat terrorism, reaffirming the UN Global Counter-Terrorism Strategy adopted by the UN General Assembly on 8 September 2006. Ministers reaffirm that the promotion and protection of human rights and the rule of law are essential to all components of counter-terrorism action, recognizing that effective counter-terrorism measures and the protection of human rights are complementary and mutually reinforcing. Ministers furthermore express their profound solidarity with victims of terrorism and reaffirm their commitment to protect the enjoyment of human rights and fundamental freedoms.

Ministers reaffirm their commitment to promote open and secure borders throughout the OSCE region, in conformity with the Border Security and Management Concept, in order to contribute to implementation of the Strategy to Address Threats to Security and Stability in the Twenty-First Century. This will develop mutual understanding and fruitful exchanges in a secure framework. Ministers support regional initiatives on border security and management and strongly encourage the further implementation of the Concept. In this context, the OSCE will respond to the request by Tajikistan for assistance.

The fight against organized crime and the promotion of the rule of law play an important role in strengthening the common security of the OSCE participating States. The decision on organized crime further demonstrates the OSCE's readiness to address the threats to stability posed by crime. Ministers declare their intention to further develop activities in

this field and look forward to continued international co-operation on legal and police-related matters. With reference to the Declaration on Criminal Justice Systems, Ministers resolve to strengthen the implementation of OSCE commitments in the field of criminal justice. Participating States support the fight against illicit drugs and welcome the OSCE's activities in this regard, in close co-operation and consultation with the United Nations Office on Drugs and Crime. They look forward to a continued involvement of the Organization in the global efforts to counter the threat of illicit drugs.

Ministers welcome the continued leading role of the OSCE in combating trafficking in human beings, extend support to the Special Representative on Combating Trafficking in Human Beings and reiterate the need for enhanced and comprehensive implementation of the OSCE Action Plan to Combat Trafficking in Human Beings and its Addendum. The ministerial decisions on combating trafficking in human beings and on combating sexual exploitation of children indicate the OSCE's determination to join forces in order to overcome these grave and heinous crimes.

Economic and environmental stability contributes towards creating safe and secure societies. The OSCE's experience and action, based on the 2003 OSCE Strategy Document for the Economic and Environmental Dimension, demonstrate the willingness of the Organization to broaden and deepen its approach to security issues in a comprehensive way. Ministers agree that the new format of the Economic and Environmental Forum has contributed to its efficiency. With reference to outcomes of the Fourteenth OSCE Economic Forum and its follow-up process, they recognize the fundamental importance of secure transportation networks and of transport development for the enhancement of regional economic co-operation, stability and security.

Ministers reaffirm their support to the Environment and Security Initiative (ENVSEC) as an effective mechanism to co-ordinate international responses to perceived threats to environmental security. Most of the Ministers reaffirm their support to ENVSEC's contribution to conflict prevention and regional confidence-building. Ministers welcome the United Nations Economic Commission for Europe and the Regional Environmental Centres as new partners in the Initiative.

Ministers recognize that a high level of energy security requires a predictable, reliable, economically viable, commercially-sound and environmentally-friendly energy supply, and reaffirm the commitments of the OSCE Strategy Document for the Economic and Environmental Dimension adopted at Maastricht in 2003. They note an increasing energy interdependence between producing, consuming and transit countries within the whole OSCE area that needs to be addressed by means of strengthened dialogue and co-operation contributing to energy security. Ministers support a role for the OSCE, whose membership includes countries of origin, transit and destination, as a platform for energy security dialogue.

Ministers are convinced that full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law are prerequisites for progress in establishing the lasting order of peace, security, justice and co-operation that we seek. In this respect, they express their determination to fulfil all human dimension commitments and to promote conditions throughout the OSCE region by which all can fully enjoy human rights and fundamental freedoms under the protection of effective democratic institutions and the rule of law. Ministers reaffirm the important role of the OSCE

institutions — the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities and the Representative on Freedom of the Media — in assisting all the participating States to implement their OSCE commitments.

Most of the Ministers underscore the crucial role of human rights defenders, including non-governmental organizations and independent national human rights institutions, in helping the participating States to promote and fulfil their OSCE commitments. Most of the Ministers also recognize that the relationship with NGOs should be further promoted, with a view to strengthening democracy and prosperity.

Ministers reaffirm that freedom of expression is a fundamental human right and a basic component of a pluralistic democratic society. In this respect, free, independent and professional media play an essential role. Participating States encourage media twinning consisting of capacity-building in support of professional media through peer-to-peer exchanges.

Dialogue, partnerships and a focus on youth and education are key elements in stemming the threats from discrimination and intolerance. The OSCE is well placed to promote mutual respect and understanding in pluralistic societies, and Ministers recognize in this respect the work of the three Personal Representatives of the Chairman-in-Office in support of the overall effort of the OSCE to combat intolerance and discrimination. Ministers look forward to the high-level conference on combating discrimination and promoting mutual respect and understanding next year in Bucharest.

Ministers call for consistent implementation of the 2004 Action Plan for the Promotion of Gender Equality, as well as further integrating in the OSCE the security perspectives of UN Security Council resolution 1325 (2000).

Ministers welcome the report on the OSCE's work in the area of migration since 2005 and see an important value in continued attention to the work on migration and integration issues in all three dimensions of the OSCE and to further facilitation of dialogue, partnership and co-operation between OSCE participating States and Partners for Co-operation on migration-related issues.

Ministers agree to return to the offer of Kazakhstan to assume the OSCE Chairmanship of the Organization in 2009 at the latest at the Ministerial Council meeting in Spain.

OSCE field operations play a positive role as instruments of the OSCE's work in putting into practice, *inter alia*, through assistance and capacity-building, the goals and principles of the Organization, and this in full co-operation with host States and in accordance with the mandates of the field operations.

The OSCE stands ready to remain engaged in Kosovo, building on the Organization's expertise in developing and monitoring democratic institutions; human rights, including community rights; and the rule of law, as well as on the extensive field presence of the OSCE Mission in Kosovo (OMiK), and to assist all efforts in developing a multi-ethnic and tolerant society.

Ministers stress the crucial role of parliaments and parliamentarians in safeguarding democracy, the rule of law and the respect for human rights at both the national and the international levels. In this regard, they recognize the important role of the OSCE Parliamentary Assembly and appreciate the close interaction with it that has developed in recent years. Ministers commend its active contribution to conflict resolution by creating a forum for inter-parliamentary dialogue.

Under chapter VIII of the UN Charter, the OSCE continues to play an important role as a regional arrangement. Ministers reaffirm the Declaration on Co-operation with the United Nations adopted by the Permanent Council in March 2006. Ministers encourage further deepening and strengthening the co-operation with other relevant regional and international organizations.

Ministers will seek to strengthen the links and good relations with the Asian and Mediterranean Partners for Co-operation. Security and stability are shared goals and challenges, and Ministers therefore look forward to intensifying the co-operation in areas of common concern.

## **STATEMENT BY THE DELEGATION OF FRANCE**

(Annex 3 to MC(14) Journal No. 2 of 5 December 2006)

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

The text of the statement reads as follows:

“We reaffirm our commitment to the CFE Treaty as a cornerstone of European security and to the early entry into force of the adapted Treaty, which would permit accession by new States Parties. The 3rd Review Conference underscored the vital importance we attach to the CFE Treaty and we are determined to maintain our constructive approach to conventional arms control. Fulfilment of the remaining Istanbul commitments on the Republic of Georgia and the Republic of Moldova will create the conditions for Allies and other States Parties to move forward on ratification of the Adapted CFE Treaty. We welcome the important agreement signed by Russia and Georgia on 31 March 2006 on the withdrawal of Russian forces, and the progress made since then. We note with regret the continued lack of progress on withdrawal of Russian military forces from the Republic of Moldova and we call upon Russia to resume and complete its withdrawal as soon as possible.”

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

## **STATEMENT BY THE EUROPEAN UNION**

(Annex 4 to MC(14) Journal No. 2 of 5 December 2006)

Mr. Minister,

The European Union is pleased to endorse the statement made by you, Minister Karel De Gucht, as the Chairman-in-Office. We warmly thank the Belgian Chairmanship for their efforts to achieve consensus on a political declaration which would have been acceptable to all.

The EU welcomes the consensus statement on Nagorno-Karabakh and urges the leadership of Armenia and Azerbaijan to peacefully settle this long-standing conflict.

The EU is pleased that a consensus was reached on a statement on the OSCE Mission in Kosovo. We would welcome the OSCE's continued active involvement in Kosovo, also after the replacement of UNMIK by the International Civilian Office. The EU reiterates its strong support for the work of President Ahtisaari on the future status of Kosovo.

We regret that a consensus was not found on statements concerning the conflicts in the Republic of Georgia and in the Republic of Moldova. The EU reiterates its firm support for the sovereignty and territorial integrity of the Republic of Georgia and the Republic of Moldova within their internationally recognized borders. Complete fulfilment of the remaining commitments made at the OSCE's Istanbul Summit in 1999 and reflected in the CFE Final Act, remains key. We welcome the important agreement signed by the Russian Federation and the Republic of Georgia on 31 March 2006 on the withdrawal of Russian military forces from Georgia and call upon the Russian Federation to complete its withdrawal as soon as possible. We note with regret the continuing lack of progress on the withdrawal of Russian military forces and equipment from the Republic of Moldova and again call upon the Russian Federation to resume and complete its withdrawal as soon as possible. The EU supports continued efforts to achieve a peaceful settlement of the conflicts involving the Republics of Moldova and Georgia.

Mr. Minister,

One of our priorities in the human dimension is the protection of human rights defenders. The EU was disappointed that a decision on strengthening the OSCE's engagement with human rights defenders and independent national human rights institutions was not reached this year. We will continue to support the inclusion of this important issue on the OSCE agenda.

The EU is pleased that we have been able to reach agreement on strengthening the effectiveness of the OSCE. We also welcome the tasking on the international legal status of the OSCE, and all the other important decisions that have been taken at this Ministerial.

The EU regrets that it was not possible to agree on the upcoming Chairmanships for the Organization. We hope that an agreement can be reached as soon as possible.

Finally, we would like to express our warm thanks to the Belgian Chairmanship for their excellent hospitality and splendid organization of the Ministerial Council meeting. We

look forward with high expectations to the Spanish Chairmanship and will give Spain our full support in their efforts.

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

Thank you Mr. Minister.

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

(Annex 5 to MC(14) Journal No. 2 of 5 December 2006)

In connection with the statements made by a number of participating States, the delegation of the Russian Federation believes it is necessary to point out the following.

Russia has honoured all of the Istanbul agreements relating to the Treaty on Conventional Armed Forces in Europe without exception and has ratified the Agreement on Adaptation. The fate of the Treaty now depends entirely on our partners.

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



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

(Annex 6 to MC(14) Journal No. 2 of 5 December 2006)

Thank you, Mr. Chairperson,

I would like to join previous speakers in expressing regret that the Council was not able to adopt the Ministerial Declaration and a statement on Moldova at its annual meeting. The Moldovan delegation has worked in a constructive and result-oriented manner to reach consensus on these important documents. However, despite these efforts, we do not have a political final document for the fourth year in a row. I express my sincere hope that this does not become a tradition in our Organization.

While my delegation has aligned itself with the statement delivered on behalf of the European Union, I would like to concentrate on the main issues that Moldova perceives as very important for the Council to take into consideration.

Moldova is determined to find a political settlement exclusively by peaceful means, based on respect for the sovereignty and territorial integrity of my country. The final goal of negotiations should be the definition of the special status of the Transnistrian region within the Republic of Moldova. The Republic of Moldova stands ready to resume the negotiations in the 5+2 format as soon as possible. Reaching agreement among all the participants in the negotiations process concerning the basic principles for the settlement is one of the main elements for achieving a speedy, final and lasting political solution to this problem.

We express our appreciation for the role of the European Union and the United States of America in determining positive developments, both in the conflict settlement and in the broader regional context. In particular, we would like to commend the activity of the EU Border Assistance Mission to Moldova and Ukraine and look forward to its extension.

We call for the earliest transformation of the current peacekeeping force in the Security Zone by its replacement with a new multinational force under an appropriate international mandate. We reiterate our position concerning the full, early and unconditional withdrawal of the military forces of the Russian Federation from the territory of the Republic of Moldova in accordance with its 1999 Istanbul commitments. This will provide the necessary grounds for the ratification by the Republic of Moldova of the Adapted CFE Treaty.

The destabilizing unilateral actions of the Tiraspol authoritarian regime against the local population in the Security Zone constitute gross violations of basic human rights and should be condemned by all of us. In this sense, we invite all interested actors to provide assistance for the democratization of the Transnistrian region of Moldova. We call on the Transnistrian authorities to remove all obstacles in the way of free movement of persons and goods between both banks of the Nistru River, and to start the demilitarization process in the context of confidence- and security-building measures.

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

Thank you.



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



**REPORT ON THE IMPLEMENTATION OF THE FIRST OPERATIVE  
PARAGRAPH OF LJUBLJANA MINISTERIAL COUNCIL  
DECISION No. 17/05  
(6 November 2006)**

**Introduction**

In 1975, the CSCE started as just a conference of participating States. Today, it has become an organization with a complex structure of institutions and field presences, engaged in assistance and project work. Particularly in the early 1990s, it demonstrated a remarkable ability to adapt to circumstances, solely on the basis of collective political will. It became the OSCE.

The same political will is now called for. In response to the impetus of the Report of the Panel of Eminent Persons of 30 June 2005 and through the ensuing Ministerial Council Decision No. 17/05, adopted in Ljubljana on 6 December 2005, the participating States resolved to renew and further strengthen the effectiveness of the OSCE. The Chairmanship is reporting herewith on the efforts undertaken by the Permanent Council over the past year.

The eleven areas identified in the first operative paragraph of Decision No. 17/05 have been subjected to intense scrutiny. Chefs de file, acting alone or in teams, were appointed. They conducted specialized, intensive and at the same time wide-ranging consultations among participating States. Regular reviews took place in a single open-ended working group acting under the authority of the Permanent Council. It was thus ensured that all delegations were kept abreast of the current thinking and of the emerging proposals.

For convenience, the subjects have been regrouped in four chapters.

The first chapter deals with OSCE procedures. The straightforward 1973 rules established for the Helsinki Conference, commonly referred to as the “blue book”, had to give way to accommodate the much more sophisticated combination of structures and procedures constituting the OSCE today. On 1 November 2006, after successful negotiations, the Ministerial Council, through a silence procedure, adopted a comprehensive codification of OSCE rules of procedure.

The second chapter deals with OSCE meetings, in essence, the way participating States conduct their political dialogue, the prime “raison d’être” at the time of the Helsinki Final Act. Subjects and themes but also venues and formats have multiplied over time, revealing a willingness of participating States to engage in a widening variety of issues. This of course is to be welcomed, but then, it also has to be accommodated. Unreasonable calendars and confusing agendas may impair the benefits of more intense dialogue. Discussions must be organized so that they can be duly anticipated and prepared. Subjects must be carefully selected so as to correspond to the wishes of participating States and meet the expectation of contributing to greater mutual understanding. In addition, the interaction with civil society has developed well, as called for at the very beginning of the Helsinki process. The Permanent Council has sought ways to improve the “technique” of OSCE meetings and conferences. Proposals to set up a committee structure and to adopt indicative guidelines have emerged that could go some way towards stimulating effective interaction between participating States and engaging civil society.

The third chapter deals with the administration of the OSCE. The time when the Secretariat was only in charge of the smooth running of diplomatic meetings is long gone. Today, the Secretariat, the institutions and the field operations, which together make up the OSCE, command a vast array of human, financial and practical resources dedicated to the variety of tasks decided upon collectively by the participating States. This came to be in response to immediate needs, at a rate dictated by, and in proportion to, concrete circumstances as they arose. The method proved flexible, and therefore also attractive, but downsides have increasingly emerged. Are the resources really as productive as they can be? Are the objectives pursued actually being achieved? Are savings being made wherever possible? Is oversight efficient in informing management and preparing for sound decisions? Is the Organization well enough placed on the international market of resources? Further, are the responsibilities apportioned correctly between the Organization and its personnel? Is the system geared towards achieving high levels of motivation and mobilization? Drawing upon the experience of the Secretariat and upon legal expertise, the Permanent Council has identified initiatives that arguably could bring about improvement. These also include a proposal to endow the OSCE with a legal personality. This measure alone is likely to dramatically strengthen the way resources are mobilized, managed and protected.

The fourth chapter concerns the executive structures of the OSCE. Our Organization has become a network of highly specialized and dedicated Secretariat, institutions, representatives and field operations. Each of them is filling a niche and contributing added value. To varying degrees, they enjoy autonomy of action, which has stimulated initiative and adaptation to the needs of the place and of the day. While the benefits of this approach are obvious, care has to be taken not to dissipate them through excessive decentralization. The different structures of the OSCE are guided by the same core principles and values, which must remain recognizable throughout the system. In addition, they are financed and supported out of the same pool of resources, which have to be put to work efficiently. Economies of scale have to be applied and duplication must be avoided. Policies that are being pursued independently need to be co-ordinated and must remain consistent. The identity and the reputation of the OSCE might suffer if its name were used randomly. In addition, connections among the structures that were too loose might compound the problem of publicizing the OSCE's work and achievements. Therefore, measures are being suggested in the Permanent Council to encourage coherence and programmatic co-ordination under the leadership of the OSCE Secretary General. It is his/her task to provide the required management services to the various structures of the OSCE network, but it is also his/her task to co-ordinate them so that the OSCE can function as a coherent organization. In addition, the Permanent Council has attempted to define thematic missions, a tool that could help mobilize the OSCE's energies for a specific objective relevant to the whole OSCE area.

These four chapters constitute the approach that is being submitted to the Ministerial Council for endorsement. The Permanent Council has acted by taking decisions and guiding the Secretariat where it could. Where appropriate, draft Ministerial Council decisions have been elaborated and are being submitted for approval. In a general way, the Ministerial Council is invited to give direction to the efforts to strengthen the efficiency of the Organization.

## **CHAPTER 1: PROCEDURES**

### **Rules of Procedure**

Three succeeding Chairmanships deployed considerable efforts to make progress on the draft rules of procedure. The Permanent Council is pleased to report that this year the outstanding issues were resolved.

The OSCE rules of procedure embodied in document MC.DOC/1/06 were adopted by the Ministers through a silence procedure on 1 November 2006.

Also, for the record, the Ministerial Council, through a silence procedure, adopted the decision to abolish the OSCE Senior Council (MC.DEC/4/06 of 26 July 2006). Its functions and tasks have been transferred to the Permanent Council. The Economic and Environmental Forum now qualifies as an OSCE meeting, as defined by the Rules of Procedure, MC.DOC/1/06, Chapter VI(A). This has clarified the institutional landscape of the Organization.

## **CHAPTER 2: MEETINGS**

### **Improving the consultative process, including considering a committee structure**

The Panel of Eminent Persons recommended the introduction of “a committee structure made up of three pillars corresponding to the traditional dimensions”. On this issue, extensive discussions took place in 2005. They resulted in wide support among the participating States, in the expectation that a committee structure would replace the practice of setting up random working groups and discourage the creation of additional bodies.

Consultations continued throughout 2006. Different concerns were addressed, such as the actual responsibilities of the committees, how they would be chaired, how cross-dimensional themes would fit into the structure and what their exact relationship would be to the Preparatory Committee.

It is now being proposed to establish three informal subsidiary bodies, i.e., three committees with an indicative thematic focus: a security committee, an economic and environmental committee, and a human dimension committee. These committees would be in addition to the existing Advisory Committee on Management and Finance and the Preparatory Committee, but the present Economic and Environmental Subcommittee would be subsumed in the proposed economic and environmental committee. As provided for in the Rules of Procedure, they would all be subordinate to the Permanent Council. Also, they would remain under the clear leadership of the OSCE Chairmanship, which bears overall responsibility for the Permanent Council and the bodies created under it.

At least at the beginning of each year, the Chairmanship, in consultation with the participating States, would have to further clarify the tasks and competences of each committee. This appears advisable in order to have an orderly distribution of issues of a

cross-dimensional nature, to ensure coverage of all issues and to avoid duplication of work among committees.

On the assumption that it would be reasonable for the Chairmanship to share the burden of the consultative process and also that use should be made of the experience present in the Permanent Council, the task of chairing the committees could be delegated to representatives of other participating States, who would act under the Chairmanship's authority. This would meet the recommendation in the report of the Panel of Eminent Persons that the ownership of the consultation process should be broadened.

All in all, it is believed that the three-committee structure would increase the transparency of ongoing work in the OSCE, which is especially important for small delegations. It would provide a more effective framework for political dialogue among all the participating States while ensuring that new threats to security could be effectively addressed.

Hence, it is being suggested that the Ministerial Council adopt a decision along the lines of the draft contained in annex 1 to this report.

### **Considering ways to improve the planning and efficiency of OSCE conferences**

The Permanent Council recommends further improving the planning and efficiency of OSCE meetings, for which the OSCE Rules of Procedure now provide a framework. A well-structured, logical scheme of meetings within the OSCE enjoys extensive support.

When deciding on OSCE meetings, the participating States should take into account timely and adequate preparation, broad participation, consistency with OSCE operational activities and action-oriented results. The frequency of meetings, as well as their duration, should be reconsidered, bearing in mind the strain put on smaller delegations. It is strongly recommended that a decision on the venue of an OSCE meeting take into account financial factors, geographical balance, the visibility of the OSCE and the desired level of participation.

In the process of planning the OSCE calendar of events, as a rule, meetings should not be convened simultaneously, especially if the venue of a meeting is outside of Vienna.

The OSCE Troika should undertake collective efforts to ensure continuity in the choices of themes and subjects for OSCE meetings made by participating States. The Secretariat could play an instrumental role in this respect. This would enhance the quality of preparation and the opportunities for proper follow-up.

Any proposal for organizing an OSCE meeting should contain such elements as: name, time frame, venue, level, objective, desired participation and a preliminary cost estimate. It should be made clear whether the intended outcome includes a proposal for a negotiated document, a declaration or another type of text and, if applicable, what kind of specific follow-up is being envisaged. Also, the intended visibility (e.g. press coverage) could be specified. As a matter of principle, agendas of meetings should be focused and avoid overload. The practice of issuing Chairperson's summaries should be expanded to improve post-meeting readability.



The Permanent Council calls to mind that dialogue and co-operation with non-governmental organizations (NGOs) remain a key aspect of the work of the OSCE. Several examples for such enriching relations exist. No effort should be spared to further encourage organizers and chairs of OSCE meetings to improve, facilitate and expand the participation of NGOs and academic circles.

Where appropriate, OSCE meetings should be open to the media. This would contribute to increased transparency vis-à-vis the wider public. In addition, more frequent engagement with the media would help increase the visibility of the Organization and of its achievements.

Translation of reports from OSCE meetings, as well as of Chairperson's summaries, would increase the accessibility of documents in the participating States.

With this in mind, it is being recommended that the Ministerial Council advocate the use of guidelines for organizing OSCE meetings, along the lines of those attached in annexes 2 and 3 to this report.

The participation of NGOs and the media could even be envisaged in decision-making bodies and in informal subsidiary bodies, while ensuring that it remains compatible with the intergovernmental character of the Organization and that the integrity of the decision-making process is preserved.

Ministers are invited to encourage such an approach.

## **CHAPTER 3: ADMINISTRATION**

### **Examining the possibility of providing the OSCE with legal status and granting privileges and immunities, taking into consideration advice of legal experts**

The Chairmanship established a Group of Legal Experts that was tasked with reviewing the implications of the lack of international legal status and uniform privileges and immunities of the OSCE at a technical level, starting with the Rome Council Decision and taking into account the discussions held in 2000 and 2001. It was also tasked with making recommendations for solutions which would address these problems effectively.

The Group of Legal Experts held two meetings, on 26 and 27 June, and on 19 September 2006, and noted that there were serious problems. It examined various options for a solution and recommended that work could be resumed on a draft convention on the international legal personality, legal capacity and privileges and immunities of the OSCE, on the basis of the text drafted in 2001 (redistributed as document CIO.GAL/188/06). A working group could be tasked with finalizing a draft convention and submitting it through the Permanent Council to the Ministerial Council in 2007.

In conformity with the recommendations of the Group of Legal Experts, the Permanent Council invites the Ministerial Council to take a decision to that effect. The text for such a draft decision is attached as annex 4 to the report.

## **Strengthening the efficiency, effectiveness and transparency of the Organization's activities, including their budgetary and extrabudgetary financing, and their evaluation and assessment**

The Permanent Council calls attention to the important modifications that have been made in the management not only of the unified budget process but also of extrabudgetary resources. Today, the Secretary General formally accepts pledges of extrabudgetary contributions and, when doing so, certifies that they are in conformity with the OSCE's regulations and rules and fall within the applicable mandate.

In particular, the Permanent Council is grateful to the Secretary General for having established a system that ensures that extrabudgetary contributions are accepted, budgeted, expended, monitored, accounted for and reported on under proper authority and control, which has been in effect since December 2002. A review mechanism ensures that the related contractual obligations are in line with OSCE regulations and rules. A number of further improvements have been made since then. In particular, information on extrabudgetary projects is made available to the participating States via the Delegates Website, and this has been the case since July 2005. The information available to the participating States includes the relevant narrative project summaries, funding requirements, names of donors and amounts pledged. Over the Summer of 2006, further important improvements have been made in the presentation of extra-budgetary contributions under the Integrated Resource Management (IRMA) system. Additional guidance has been provided under Financial and Administrative Instruction No. 6 in respect of the process for selecting implementing partners. Incidentally, the issue of apportionment of overhead expenditures is also being discussed in this context.

Aside from this, there is a continuing need to improve the overall regulatory basis for the finances of the OSCE. This was pointedly emphasized by the internal and external auditors of the Organization and by its Audit Committee. The path to this is well known. The Common Regulatory Management System (CRMS) must finally be put in place by the urgent adoption of amended Financial Regulations. To this end, work has been carried out in the framework of the Advisory Committee on Management and Finance (ACMF). The ACMF, under the responsibility of the Permanent Council, must soon come to closure of the technical discussions and submit the required draft decision(s).

The Ministers are invited to approve this approach and as regards the adoption of amended Financial Regulations, to set a deadline of 30 April 2007.

## **Further improving the programme planning, so that it may better reflect the Organization's priorities**

In 2006, the OSCE made further progress towards subjecting its planning and budgeting process to principles based on performance.

The Performance-Based Programme Budgeting (PBPB) is a more transparent method designed to direct fund managers as they go through their planning and budgeting cycle. It strengthens the link between the political decision on a programme, actual programme implementation and identification of programme results. It places the emphasis on achievements rather than activities.

The full implementation of PBPB in respect of all Funds will require several years. Improvements in planning and budgeting can be realized immediately, but evaluation and assessment must by definition follow at the end of budget cycles. The key to success is ongoing learning and continuous assessment by all stakeholders in the PBPB process, notably the participating States, the Secretariat, fund managers and those responsible for carrying out the programmes. Support and training will also have to be continued over multiple budget cycles as the learning process takes place.

A select number of funds were used as pilot studies in the PBPB process in 2006. They included a representative sampling of field operations, programmes carried out by the Secretariat and programmes carried out by the Office for Democratic Institutions and Human Rights (ODIHR). The experiences gained in each pilot study will be carefully taken into account when further rolling out the PBPB process throughout the Organization.

The Permanent Council supports the approach taken and recommends further building upon the experience of the pilot project by implementing PBPB in respect of all funds for the 2008 budget cycle. It is essential that this approach continues to be further developed with input and guidance from the participating States.

The Ministers are invited to approve this approach.

**Considering ways of further improving the professionalism of OSCE personnel and the management of its human resources, with due regard to the gender and geographical balance**

Different aspects of further improving the professionalism of staff were considered.

The Permanent Council has prepared a draft PC decision containing an amendment to the OSCE Staff Regulations and Staff Rules regarding exceptional extensions beyond maximum periods of service (PC.DD/32/06/Rev.2 of 5 September 2006), which is attached as annex 5 to this report.

A second draft PC decision introduces flexibility to allow fund managers, in consultation with the Secretary General, to reallocate up to 10 per cent of staff within programmes in the interest of acting upon local developments. It also further amends the OSCE Staff Regulations and Staff Rules to remove the debatable non-family status of OSCE mission personnel (annex 6 to this report).

A third draft PC decision embodies three measures. The first is the extension of secondment assignments from six months to one year. The second is further support and expansion of the Junior Professional Officer Programme. The third makes provision for the executive structures to play a more proactive role in the recruitment of secondments by allowing nationals of participating States to apply directly for positions. Naturally, actual recruitment can only take place if the participating State of origin does not object and under the statutory conditions fixed by the participating State for such secondments (annex 7 to this report).

There is a perceived need to ensure a wider diversity of the geographic origin of personnel as well as a better gender balance at the various levels of staff serving the OSCE. One way to address these concerns is to take pragmatic and practical steps to gradually

increase the number of contracted positions within the Organization, while taking into account the cost implications for the Unified Budget.

The Ministers are invited to endorse this approach. By doing so, they would ensure fair and consistent recruitment as well as retention of qualified and talented staff through competitive and equitable procedures.

## CHAPTER 4: STRUCTURES

### **Considering ways to further enhance the role of the Secretary General, while supporting him in the full use of his mandate, including through further strengthening the co-operation with the heads of institutions and of field operations**

The Permanent Council considers that the Secretary General's mandate, established by the Sofia Ministerial Council Meeting, need not be redefined. His/her role should, however, not be interpreted as being strictly confined to that of "chief administrative officer".

The Permanent Council encourages the Secretary General to be more actively involved in the Permanent Council sessions. That is seen as a way to put the Secretary General's and the Secretariat's knowledge and experience to better use, and as a contribution to continuity in the guidance of OSCE activities. A similar active involvement in the Forum for Security Co-operation (FSC) would be welcome.

The Permanent Council therefore encourages the Secretary General to be proactive, within his/her mandate, by *inter alia*:

- Bringing issues to the attention of the PC or the FSC, in consultation with the Chairman-in-Office (CiO);
- Participating in debates, for instance by providing background information and analysis;
- Presenting the Programme Outline and the Unified Budget Proposal in the PC (instead of presenting them in the PrepComm and the ACMF);
- Maintaining close contacts with all delegations;
- Reporting (after co-ordination with the Chairmanship) on the follow-up by the Secretariat of relevant decisions.

Regular co-ordination meetings between the Secretariat and the heads of institutions are useful identify synergies and to avoid duplication in their programmes. While fully respecting the mandates of the institutions, the Secretary General is encouraged to ensure regular co-ordination, *inter alia*, by hosting such meetings.

In their report, the Panel of Eminent Persons (paragraph 42(c)) advised that: "The Secretary General should take the lead role in the operational guidance of field activities". While preserving the autonomy of heads of missions, based on which many useful initiatives

are introduced, the Secretary General could in addition ensure enhanced co-ordination in order to avoid duplication, share good practices and provide for synergies with field operations.

The present co-ordinating role of the Secretary General in the unified budget process is a useful one. In this way, he/she helps fund managers implement the mandate and the guidance given by participating States. This role should be reaffirmed. In this regard, it is recommended that the Secretary General play a supporting role to the fund managers in the proper application of the Common Regulatory Management System, including the Financial and Staff Regulations and Rules and in the further introduction and application of Performance-Based Programme Budgeting. This would be beneficial to the programmatic co-ordination between the Secretariat, institutions and field operations, while fully respecting their mandates.

An annual evaluation by the Secretary General of the performance of the management of funds could be introduced, along with an annual report to the participating States on the results.

The co-ordinating and supportive role of the Secretary General in the promotion of multi-year planning by fund managers within each field operation also deserves support.

The Ministers are invited to agree on a wording along the lines of the relevant provisions of the draft decision on further strengthening the Secretariat, the institutions and field operations which is attached as annex 8.

The process for selection of the Secretary General and of heads of OSCE institutions was also extensively discussed. The issue was the need to adopt a well-designed, predictable, fair and equitable procedure for the selection of personalities to the highest positions in the Organization. The objective should be to address the interests of the Organization in obtaining high-quality appointments and, at the same time and in an equal manner, to satisfy the legitimate expectations of the participating States that all candidates would be considered in a non-discriminatory manner. It should be considered that now is the moment to agree on such improvements, since no selection for the highest positions is currently under way.

Hence, the Ministers are invited to agree to provisions along the lines of the draft decision on the selection of the Secretary General and the heads of institutions which is attached as annex 9. It would make the selection process more solid and transparent.

**Modernizing the Secretariat, taking into account also proposals by the Secretary General and participating States, to further improve its capacity to support the Chairmanship-in-Office and the participating States and to co-ordinate OSCE activities**

The Report by the Panel of Eminent Persons advocated a restructuring of the Secretariat in principle, without specifying what forms it should take. Arguably, the present structure of the Secretariat reflects the historical accumulation of tasks, particularly as regards various non-military aspects of security, rather than a rational design. Changes were advocated.

A first issue concerned the creation of a position of deputy Secretary General. This would ensure continuity during duty travel by the Secretary General and would provide

support in his/her co-ordination tasks. The proposal did not receive sufficient support. As an alternative, the Permanent Council proposes that, as a rule, the Director of the Conflict Prevention Centre should represent the Secretary General, as *primus inter pares*, during his/her absences.

A second issue concerned the structure and organization of the different units within the Secretariat. There is a general feeling that the structure of the Secretariat should be in line with the requirements and priorities of the Organization. However, there is also a strong feeling that the Permanent Council should not engage in micro-management and that the design of the right structure should be a matter left to the management of the Secretariat, i.e., to the Secretary General.

The responsibility of the Secretary General for formulating proposals to restructure the Secretariat according to present day needs was reaffirmed. It would be the task of the Secretary General to propose a revised post table for approval by the participating States.

Specific attention was devoted to a third issue, namely, the availability of sufficient co-ordinating capacity within the Secretariat. It must be ensured that the various executive structures, which should continue to have the ability to develop activities tailored to the specific needs encountered, are supported adequately and operate smoothly together as a system. The emphasis needs to be put on creating synergies, producing economies of scale, establishing quality references, ensuring sound management, sharing experiences and spreading good practices.

Hence, consideration should be given to providing to the Secretary General, upon his/her proposal and request, the necessary human and financial resources to gradually establish professional programmatic servicing and co-ordination. Obviously, this should not lead to bureaucratization or to disproportionate expansion of the Secretariat.

The Ministers are invited to agree on a wording along the lines of the relevant provisions of the draft decision which is attached as annex 8.

### **Strengthening the effectiveness of the OSCE institutions and field operations**

No specific issue was brought to the attention of the Permanent Council as regards the institutions. It was naturally noted that a separate effort at strengthening the effectiveness of the ODIHR was under way, as provided for by paragraph 2 of Ministerial Council Decision No. 17/05, adopted in Ljubljana.

As regards field operations, the Permanent Council examined the background to the present practice of renewing the mandates of field operations, in certain cases, every six months. A renewal schedule based on one-year terms seems to offer a workable compromise between the understandable need for flexibility on the one hand, and the advantages of a reasonable timeline to develop activities of some substance on the other. Provided the participating State hosting the field operation would agree, the next extension of the mandates of field operations could be for one year where they had hitherto been for six months.

The Permanent Council reiterated the crucial importance for heads of missions to continue to work, within their respective mandates, in close co-operation with the host governments and civil society.

The idea of converting posts of head or deputy head of field operations from seconded to contracted was discussed thoroughly. The advantages of both systems were duly weighed but no conclusions could be drawn. Contracted positions are believed to offer the advantage of attracting more candidates from currently under-represented participating States. However, this could introduce a factor of discrimination between posts that are contracted and those that are not, while the responsibilities are identical. Ministers are invited to consider whether, in a very limited number of cases, contracted positions of deputy heads of field operations could nevertheless be envisaged, taking into account the cost implications. There was less controversy regarding the principle that, as a rule and where possible, heads of missions should be consulted on the choice of their deputy.

Considerable merit was seen in regular evaluation of the performance of heads of missions and deputy heads of missions by the Secretary General. This evaluation should be shared with the Chairmanship, whose task it would be to consider the need for further consultations with the participating States directly concerned. At the same time, the evaluation effort should remain proportional to avoid placing an unreasonable administrative burden on the Organization. Resources should not be diverted from substantive programmes.

The efficiency of the reporting by field operations could be enhanced by being regularly monitored and, in the light of experience, structured and organized in line with coherent rules. The Secretary General should be asked to take responsibility for applying quality control, developing practical guidelines in co-operation with the field operations themselves and ensuring appropriate distribution.

Greater transparency has been called for in the procedure for the selection of heads and deputy heads of field operations. The names and nationalities of all candidates applying for these positions could be made available to the participating States after the deadline for applications. Naturally, the Chairmanship should consult with the host country before the final stage of the selection. An idea to strengthen the cohesion between the Secretariat and the field operations would be for heads of missions to be appointed henceforth by the Chairman-in-Office with the consent of the Secretary General. Conversely, the Secretary General could appoint deputy heads of missions with the Chairman-in-Office concurring.

The Ministers are invited to reach agreement along the lines of the relevant provisions of the draft decision which is attached as annex 8.

### **Considering the possibility of thematic missions in an OSCE-wide or subregional context**

The Permanent Council has examined the possibility of thematic missions in an OSCE-wide or subregional context, an issue to which considerable importance is being attached as a way to balance the geographic scope of the OSCE's activities.

The discussions, however, demonstrated wide-ranging and diverging views, including on the need for, and definition, scope and modalities of, such missions.

A clear concern is that the creation of thematic missions might encourage further decentralization and proliferation of OSCE structures, contrary to the recommendations contained in the report of the Panel of Eminent Persons.

At the same time, there is a recognition that thematic missions could prove a useful and effective additional tool to address contemporary security threats. They have the potential to respond to particular needs encompassing the whole OSCE area or to address concerns of participating States regardless of geographic focus. Alternatively, they could serve to mobilize more efficiently capacities available in the OSCE system. Such missions should in no way be a substitute for, but rather should complement existing OSCE structures or working methods.

As a result, the following considerations of a pragmatic nature should be taken into account when considering the establishment of a hypothetical thematic mission:

- Thematic missions should be established only in case of need;
- They should have a well-defined purpose and be limited in time;
- They should be established with a view to carrying out a specific task or achieving a measurable objective;
- They should have a clearly defined responsibility, which they will discharge before the Permanent Council;
- They should draw to the largest extent possible on the existing resources of the Organization or on voluntary contributions;
- They should not replace or duplicate the work of already existing structures;
- They should address challenges emerging in the whole OSCE area.

The conclusion is that thematic missions would ultimately be shaped in relation to concrete issues, which would be high on the OSCE agenda but which would lack other operational tools to deal with them. Actual cases of implementation would ultimately define how thematic missions could develop.

Useful applications of thematic missions could include: determining the facts regarding a specific situation, exploring a specific issue, compiling available research, implementing a specific task or project, promoting and disseminating good practices, etc.

## **ANNEXES**

1. Draft Ministerial Council decision on improvement of the consultative process.

This document has been adopted as Brussels Ministerial Council Decision No. 17/06 and, hence, is not attached to this report.



2. Guidelines for organizing OSCE meetings.

This document has been adopted as Permanent Council Decision No. 762 of 5 December 2006 and, hence, is not attached to this report.

3. Template of a proposal for organizing an OSCE meeting.

This document has been adopted as Permanent Council Decision No. 762 of 5 December 2006 and, hence, is not attached to this report.

4. Draft Ministerial Council decision on the legal status and privileges and immunities of the OSCE.

This document has been adopted as Brussels Ministerial Council Decision No. 16/06 and, hence, is not attached to this report.

5. Draft Permanent Council decision on amended OSCE Staff Regulations and Staff Rules (PC.DD/32/06/Rev.2).

6. Draft Permanent Council decision on a new OSCE Staff Regulation and Staff Rule.

This document has been adopted as Permanent Council Decision No. 761 of 5 December 2006 and, hence, is not attached to this report.

7. Draft Permanent Council decision on improving the effectiveness and efficiency of the human resources of the OSCE.

This document has been adopted as Permanent Council Decision No. 760 of 5 December 2006 and, hence, is not attached to this report.

8. Draft Ministerial Council decision on further strengthening the OSCE Secretariat, the institutions and field operations.

This document has been adopted as Brussels Ministerial Council Decision No. 18/06 on further strengthening the effectiveness of OSCE executive structures and, hence, is not attached to this report.

9. Draft Ministerial Council decision on the procedure for selection of the Secretary General and heads of institutions (MC.DD/10/06/Rev.3).



**Organization for Security and Co-operation in Europe  
Permanent Council**

PC.DD/32/06/Rev.2  
5 September 2006  
RESTRICTED  
ENGLISH only

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**Belgian Chairmanship**

**DRAFT DECISION ON  
AMENDED OSCE STAFF REGULATIONS AND STAFF RULES**

The Permanent Council,

Acting in accordance with the relevant provisions of Staff Regulation 11.01,

Taking note of the document CIO.GAL/119/06,

Approves the attached amendments to the OSCE Staff Regulations and Staff Rules.

**NEW REGULATION AND RULES REGARDING PERIODS OF SERVICE AND EXCEPTIONAL EXTENSIONS**

<b>New regulation and rules</b>	<b>Relevant reference: current staff regulations and rule</b>
<p><b>Regulation 3.09</b> <b>Exceptional Extensions Beyond Maximum Periods of Service</b></p> <p>(a) Without prejudice to the existing Regulation 3.05, the Secretary General may in exceptional circumstances extend the appointment or assignment of (i) directors in the Secretariat, in the institutions and in the missions (D posts), (ii) staff/mission members holding professional level posts (P posts), and (iii) seconded staff/mission members (S posts) beyond the maximum periods of service set out in Regulation 3.08.</p> <p>(b) No exceptional extensions shall be granted beyond the total length of service with the OSCE set out in Regulation 3.11 (b) (ii).</p> <p>(c) The number of exceptional extensions per year shall, as a rule, be limited to six persons or 15 per cent of the staff/mission members whose periods of service are coming to an end in the course of the calendar year, whichever is less.</p> <p>(d) Exceptional extensions shall be granted up to one year but no more than twice per staff/mission member.</p> <p>(e) The decision regarding who may be exceptionally extended shall be taken by the Secretary General upon the recommendation of the Board for Exceptional Extensions, which shall represent a cross section of the OSCE.</p> <p>(f) Consent of the Chairmanship shall be</p>	<p><b>Regulation 3.08</b> <b>Periods of Service</b></p> <p>(a) The OSCE is committed to the principle of non-career service. Thus, OSCE officials shall be appointed or assigned for fixed terms. Letters of appointment and terms of assignment shall specify the expiration date. Unless extended pursuant to Regulation 3.11 below, the appointment or assignment shall end without notice on the expiration date.</p> <p>(b) Directors in the Secretariat, the institutions and the missions shall be appointed for a three-year fixed term which can be extended for up to one year, in accordance with Regulation 3.11.</p> <p>(c) Staff/mission members holding positions at the P5 level shall be appointed for a two-year fixed term which can be extended for up to three years, in accordance with Regulation 3.11 below.</p> <p>(d) Contracted staff/mission members holding professional posts below the P5 level shall be appointed for a two-year fixed term which can be extended for further periods in accordance with Regulation 3.11. The maximum length of any extension may not exceed three years and the total period of service in the same post may not exceed seven years.</p> <p>(e) Heads of mission may serve in the same field operation for a maximum of three years, extendable for a final period of up to one year in accordance with Regulation 3.11.</p>

required for any exceptional extensions at the director level (D posts).

(g) The Secretary General shall report all exceptional extensions to the Permanent Council at the end of each calendar year.

**Rule 3.09.1 — The Board for Exceptional Extensions**

- (a) The Board shall be appointed on an annual basis by the Secretary General in September of each year to review applications for exceptional extensions submitted no later than 1 October.
- (b) The Board shall consist of the Director of the Office of the Secretary General as Chairman and six additional members representing the departments of the Secretariat and the missions and institutions depending on the nominees as appropriate.
- (c) The Board shall meet as often as required and provide its recommendations to the Secretary General no later than 1 November.
- (d) The Secretary General shall take any decisions regarding the exceptional extensions no later than 1 December.
- (e) Recommendations of the Board shall be made by majority vote.

**Rule 3.09.2 — Selection and criteria for exceptional extensions**

- (a) Proposals for exceptional extensions shall only be submitted to the Board by Fund Managers with written substantiated recommendation

(f) Seconded mission members may serve in the same mission for a maximum period of seven years within the limit of Regulation 3.11.

**Rule 3.08.1 — Calculation of the periods of service**

- (a) Periods served in short-term appointments/assignments and periods served in local General Service posts shall not be included for the purpose of calculation of the maximum period of service provided for in Regulation 3.08, nor of the total length of service provided for in Regulation 3.11.
- (b) For the purpose of application of Regulation 3.08 (d), “same post” shall be defined as a post involving the same functions, designated by the same title and attached to the same OSCE entity. A post that has been reclassified shall be regarded as the “same post” if the functions attached to the reclassified post have not been substantially altered and if the reclassification process has not resulted in the creation of an additional post.

**Regulation 3.11  
Extension of Appointments and Assignments**

- (a) Appointments and assignments shall not carry any expectation of extension or conversion to another type of employment. Extensions beyond the period set under Regulation 3.08 may be granted by the authority competent for appointment and assignment under Regulations 3.02, 3.03, 3.04 and 3.05.
- (b) In granting extensions, the following principles shall apply, subject to the

<p>for extending the person.</p> <p>(b) Requests for the exceptional extension of a seconded staff/mission member shall be approved in writing and in advance of submission to the Board by the seconding State.</p> <p>(c) The Board shall evaluate the applications, <i>inter alia</i>, against the following criteria:</p> <p>(i) the need to provide continuity of the specific function assigned to the staff/mission member's post;</p> <p>(ii) the conduct and performance of the staff/mission member, which must be rated as satisfactory;</p> <p>(iii) the usefulness of the staff/mission member's technical qualifications and expertise for the duration of the extended service with the OSCE.</p> <p>(d) The Secretary General shall further define in a Staff Instruction the representational breakdown of the Board and further specify the procedural rules of the Board.</p>	<p>provisions of Regulation 3.09:</p> <p>(i) Extension may be granted provided that the staff/mission member's services are rated as satisfactory;</p> <p>(ii) The total length of service of international staff/mission members with the OSCE shall not exceed ten years.</p>
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Note: Additional changes are required in Article III regarding the internal document references contained in the text (i.e., adding a new regulation changes the numbering of the remaining regulations and rules).



Organization for Security and Co-operation in Europe  
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**Belgian Chairmanship**

**DRAFT DECISION ON THE  
SELECTION PROCEDURE OF THE  
SECRETARY GENERAL AND HEADS OF INSTITUTIONS**

The Ministerial Council,

Decides that:

1. The issue of the selection of a new Secretary General shall be placed on the agenda of a meeting of the Permanent Council not earlier than one year before the expiration of the term of office of the Secretary General. The following procedure shall be applied:
  - (a) The Chairperson of the Permanent Council (Chairperson) shall inform the participating States of the OSCE that the term of office of the Secretary General is expiring. The Chairman-in-Office shall send a formal letter to all the participating States, informing them that the appointment of a new Secretary General should take place at the next Ministerial Council meeting or through a silence procedure, but in any event before the date of expiration of the term of office of the Secretary General. The letter will state the deadline for nominations, which will be at most eight weeks after the dispatch of the letter. No candidate will be accepted after this deadline;
  - (b) The nominations by the governments of the participating States, with *curricula vitae*, should reach the Chairman-in-Office within the announced deadline and will be distributed to the Permanent Council by the Chairperson no later than seven days after this deadline.
2. Any participating State may nominate a candidate for the post of Secretary General.
3. The Chairperson shall arrange for candidates to address the participating States informally at open meetings as soon as practicable after the deadline announced (see paragraph 1(a)) for the receipt of nominations.
4. The Chairperson shall initiate informal consultations in rounds/surveys as described below with a view to reaching a consensus on a candidate as quickly as possible. The Chairperson shall report regularly to the Permanent Council on the outcome of his/her informal consultations. The Chairperson may call upon colleagues to act as “wise persons” in

order to assist in the conduct of these consultations. Those colleagues who represent countries that have proposed candidates, shall not act as “wise persons”.

There shall be as many rounds/surveys as necessary. Each round shall enable participating States to express their preference for one candidate from a roster of candidates.

5. After the number of candidates has been reduced to two, consultation should take place to determine which of the two remaining candidates could command a consensus of the participating States. The Chairperson shall inform the Permanent Council of the state of affairs. The Chairperson shall continue consultations with the candidate receiving the lowest support to reconsider his/her position, as well as with his/her supporters.

6. After the number of candidates has been reduced to one, and if a consensus is within reach, the Chairperson shall propose a draft Ministerial Council decision on the appointment of the Secretary General of OSCE. In case a silence procedure needs to be applied, a draft Permanent Council decision with a recommendation to the Ministerial Council will be proposed as well.

7. If a consensus cannot be reached, the Chairperson shall reopen the procedure by inviting the governments of the participating States to nominate new candidates for the post of Secretary General. The nominations should be submitted within the deadline fixed by the Chairman-in-Office, but no later than two weeks following the call for nominations. The resulting new slate of candidates shall be presented to the participating States for consideration.

8. In considering the new slate, the Chairperson shall again endeavour to reach a consensus on a candidate, following the procedures described in the paragraphs above.

9. This selection procedure shall apply *mutatis mutandis* for the selection of heads of institutions (Director of the Office for Democratic Institutions and Human Rights, High Commissioner on National Minorities and Representative on Freedom of the Media).

## **REPORT TO THE MINISTERIAL COUNCIL ON OSCE MIGRATION ACTIVITIES IN 2006**

### **Pursuant to MC.DEC/2/05**

(MC.GAL/7/06 of 30 November 2006)

In 2005 a great deal of attention was devoted to migration issues by the OSCE because the Slovenian Chairmanship had selected the issues of migration and integration as priorities. Owing to recent migration trends in the OSCE area, a number of OSCE participating States have become significant destination, transit or origin countries, or a combination of all three, with economic, social, cultural and security implications requiring co-operation at different levels. The issue of migration is a classic comprehensive security issue with clear links to border security and management, sustainable development, and tolerance and non-discrimination, and human rights. Therefore, full use was made of the three-dimensional nature of the Organization to address the complex topics in a comprehensive manner by involving all the relevant OSCE institutions and the Mediterranean Partners for Co-operation. Issues related to migration and integration were discussed at the 2005 Human Dimension Seminar on Migration and Integration, the Thirteenth Meeting of the OSCE Economic Forum, the 2005 Mediterranean Seminar on the Role of the OSCE and the Mediterranean Partners for Co-operation in Migration and Integration Policies, and a number of recommendations and concrete activities resulted from these discussions.

In 2006, much attention has been given to the issue of migration and development at the global level. The UN High-Level Dialogue on International Migration has underscored the linkages between migration and development and the opportunities it provides for positive co-development between countries and relevant international and regional organizations. It also recognizes that the work being done by regional consultative processes and regional organizations is important in effectively addressing the opportunities and challenges of international migration.

Ministerial Council Decision No. 2/05 on migration, adopted in Ljubljana, tasked the Permanent Council with following-up on the work initiated in 2005 and reporting to the Fourteenth Meeting of the Ministerial Council. It also tasked the Secretary General as well as relevant OSCE institutions and structures with continuing their work on migration issues in all three dimensions. Herewith the OSCE Chairmanship is reporting on the work conducted by the Permanent Council in 2006.

#### **1. Follow-up work conducted by the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), based on the recommendations of the Thirteenth Meeting of the Economic Forum**

During the discussions at the Thirteenth Meeting of the Economic Forum, it became clear that migration would continue to represent a growing challenge for the OSCE participating States, and this was also confirmed by the discussions at the 2005 Mediterranean Seminar. The Forum recommended that the OSCE facilitate discussion by the participating States of security-related aspects of migration. In this context, it was suggested that the OSCE could help to identify good practices in respect of migration management. Furthermore, the OSCE was also asked where necessary to reinforce its co-operation with



other relevant international and regional organizations as well as with other dimensions in the areas of economic development in countries of emigration; awareness-raising and provision of information to potential migrants through the encouragement of the creation of migrant information centres; harmonization of methodologies, statistics and data collection relating to population developments and migration movements by participation in or promotion of specific projects; provision of assistance to participating States in improving relevant environmental policies to address the root causes of environmental migration, including awareness-raising and capacity-building programmes; and conducting of research on environmental root causes of migration (water depletion, soil degradation, natural disasters, and deforestation).

The subjects of labour migration management from an economic perspective and environmentally induced migration were introduced into the activities of the economic and environmental dimension during the Slovenian Chairmanship.

#### Co-operation with other international and regional organizations

The OCEEA continued to reinforce its co-operation with the International Organization for Migration (IOM), the International Centre for Migration Policy Development (ICMPD) and the International Labour Organization (ILO). It also developed a close working relationship with the United Nations Economic Commission for Europe (UNECE) related to migration statistics and research. The OCEEA organized an Inter-agency Co-ordination Meeting on Labour Migration Statistics and Research in Central Asia in Vienna on 20 April 2006 with the IOM, the ILO, the UNECE, and the ODIHR. The meeting gave impetus to a joint project proposal on “Improving International Labour Migration Statistics and Research in the SPECA Countries”.

Contacts were also initiated with the Eurasian Economic Community (EURASEC) and the Council of Europe.

#### Co-operation with other dimensions

Good co-operation was developed with the Migration Unit of the ODIHR and the Anti-Trafficking Assistance Unit in the OSCE Secretariat. They provided valuable inputs to the drafting of the Handbook on Labour Migration, and also participated in migration-related events organized by the OCEEA. The OCEEA supported the implementation of the project “Labour migration in Central Asia: the case of Kazakhstan” by the Migration Unit of the ODIHR.

#### Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination, and regional capacity-building workshops (1100428)

Implemented by the OCEEA, the IOM, and the ILO. Timeframe: June 2005–2007.

During the Thirteenth Meeting of the Economic Forum, the OCEEA initiated discussions with the International Organization for Migration regarding developing a joint best-practice handbook on labour migration policies based on good practices in the OSCE area. A joint project was drawn up (No. 1100428). In developing the outline of the Handbook, it was found that the partnership would gain from also inviting the International Labour Organization to contribute to the drafting of the Handbook. The joint

OSCE-IOM-ILO Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination was published in May 2006 and launched at the Fourteenth Meeting of the OSCE Economic Forum in Prague, at a special event organized on 23 May 2006.

The objective of the Handbook is to assist states in the OSCE area in their efforts to develop new policy solutions and approaches for better management of labour migration. Its target audience is decision-makers and labour-migration practitioners. It contains analyses of effective migration policies and practices, drawing upon examples from OSCE participating States as well as other countries. It addresses in particular the international legal framework for the protection of migrant workers, policies related to optimization of benefits of organized labour migration, foreign labour admission policies and post-admission policies, reduction of irregular migration, and inter-State co-operation. The Handbook is being used by all three organizations as a tool for capacity-building for more effective management of labour migration.

The three partner organizations are organizing a joint regional workshop for all the CIS countries on specific aspects of the Handbook, which will take place in Moscow on 6 and 7 December 2006. Future similar capacity-building activities, using the Handbook as a tool, are foreseen in 2007, both in countries of origin and of destination.

The Handbook has so far been published in English and Russian. There are plans to publish it in other languages as well, so as to make it accessible to as wide an audience as possible. The Handbook and the joint regional workshop have been financed through extra budgetary contributions from OSCE participating States, as well as directly by the three organizations. The Handbook can be found on the OSCE website: <http://www.osce.org/item/19187.html>.

#### Workshop on Labour Migration in Central Asia

Implemented by OCEEA, ICMPD and the OSCE Centre in Almaty. Timeframe: November 2005–April 2006.

A workshop on labour migration in Central Asia was jointly organized by the OCEEA and the ICMPD with the support of the OSCE Centre in Almaty on 31 January and 1 February 2006. The workshop brought together representatives from governments and civil society from Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan, Turkey, Ukraine and Uzbekistan. It was also attended by representatives of a number of international and regional organizations, including the Eurasian Economic Community.

The purpose of the workshop was to facilitate the development of labour migration regimes in Central Asia and to identify activities that could help strengthen the implementation capacities of governmental and non-governmental organizations dealing with regular as well as irregular migration issues.

The meeting recommended that exchanges of experience on the development of migration policies be conducted between Central Asian and European countries and that implementation capacity be strengthened; that inter-State co-operation and partnership on labour migration in Central Asia be furthered; that good governance and the prevention of corruption in migration management be promoted; that institutional capacity be strengthened

to provide information and services to migrants; that the evidence base be improved to allow for more accurate and effective policy responses; and that the use of remittances be made more effective. Further details on the OSCE/ICMPD Workshop on Labour Migration in Central Asia can be found in the consolidated summary document SEC.GAL/64/06/Rev.1.

The recommendations have been translated into the following activities:

- The Handbook provides a document to support exchanges of experiences in developing migration policy;
- The regional workshop in Moscow for all CIS countries provides a capacity-building opportunity for senior government officials from Central Asia and other CIS countries;
- The ODIHR has developed a research project on the scope, role and specific characteristics of current labour migration to Kazakhstan from the countries of the Central Asian region. The findings will be presented to the Government of Kazakhstan as inputs to its work on migration policy;
- The OSCE Centres in Tajikistan and Kyrgyzstan are supporting the strengthening of migrant information centres to provide information on legal migration, discourage irregular migration and warn of the dangers of trafficking for forced/bonded labour;
- A proposal on a project “Improving International Labour Migration Statistics and Research in the SPECA countries (No. 1100506)” has been developed. The project is to be led by the UNECE Statistics Division, with the participation of the IOM, the ILO, the OSCE, and EURASEC. The OSCE/Bishkek Academy will make available its venue and administrative support for training workshops carried out under the project. A sub-component of the project deals with data collection and research related to environmentally induced migration, and the OCEEA has taken the lead responsibility for its implementation (see next section);
- A project proposal has been put forward by the OCEEA on “Enhancing the development impact of migrant remittances (capacity-building) in Central Asia (No. 1100507)”.

#### Research on environmental migration in Central Asia (1100545)

Implemented by the OCEEA, the IOM, the UNECE and the Economics Education and Research Consortium (EERC), in co-operation with OSCE field presences. Timeframe: December 2006–June 2007.

One important consequence of serious environmental degradation in Central Asian countries is the rise of migratory flows from environmentally degraded regions. The development of policies responding to challenges arising as a result has frequently been hindered by the lack of reliable statistical information and analysis. The project therefore seeks to assist policy-makers to develop relevant policies on these issues by supplying useful information and statistics. It is based on clearly formulated needs by governments, inter-governmental organizations and regional organizations. Also, the Environment and Security Initiative (ENVSEC) has repeatedly highlighted the link between environmental

degradation and migration, citing migration and/or displacement as one of the most important factors with regard to the way environmental factors can play a role in creating tensions within and between states. As indicated by the most recent assessment in Central Asia and the Ferghana Valley, the environment-migration link is especially pronounced.

The project initiative is also based on the discussions and recommendations of the Thirteenth Meeting of the OSCE Economic Forum and the 2006 Workshop on Labour Migration in Central Asia.

The main objectives of the project include:

1. An analysis of the extent, causes and effects of environmentally induced migration in the three Central Asian Republics of Kazakhstan, Kyrgyzstan and Tajikistan;
2. Strengthening of evidence-based policy-making and research in the field of international migration;
3. Capacity-building and awareness-raising of local researchers and statisticians concerning environmentally induced migration.

The project was developed during the second and third quarters of 2006. Its objectives and methodology were presented at the First Preparatory Conference for the Fifteenth Meeting of the Economic Forum in Bishkek on 16 November 2006, in the session addressing the challenge of environmental migration. The (initial) results of the research will be presented at the Fifteenth Economic and Environmental Forum in 2007.

#### OCEEA participation in high-level meetings on migration

- Pan-European Dialogue on Migration Management, a conference hosted by Belgium on 24 and 25 January 2006. The Co-ordinator of Economic and Environmental Activities made a presentation on OSCE's role in migration.
- High-level Dialogue on International Migration and Development, United Nations General Assembly, 14 and 15 September 2006, New York.

#### Other conferences

- Conference on Action against Trafficking and Forced Labour Exploitation of Migrant Workers in Europe, Lisbon, Portugal, 29 and 30 June 2006 (organized by the ILO and the ICMPD). Ideas for follow-up: The OCEEA is considering developing a project on capacity-building to combat irregular migration and trafficking for labour exploitation, with a focus on prevention and economic empowerment, in co-operation with interested countries and organizations, in 2007.
- Lessons Learned in Promoting Cross-Border Co-operation in the OSCE area, 23 and 24 October 2006, Vienna (OSCE Secretariat).
- The Second International Symposium on Desertification and Migration, 25 to 27 October 2006, Almeria, Spain (organized by the Spanish Government and the Secretariat of the United Nations Convention to Combat Desertification). The

Declaration of the Symposium outlines the existing linkages between desertification and migration, and it also calls for increased research in this area to foster improved understanding of the problem and potential linkages. Ideas for follow-up: To establish co-operation between the OCEEA project on research on environmental migration in Central Asia, ENVSEC and the environmental change and forced migration scenarios (EACH-FOR) project, launched under the Sixth Framework Programme for Research and Technological Development of the European Commission.

- Conference on Human Trafficking for Labour Exploitation/Forced and Bonded Labour, 16 and 17 November 2006, Vienna (Anti-Trafficking Assistance Unit).

## **2. Economic and Environmental Subcommittee**

The migration agenda for 2006 was discussed, including the idea of a regular regional event on labour migration, at the meeting of the Economic and Environmental Subcommittee on 17 February 2006. Delegations exchanged views on the paper “Co-operation towards Better Economic Migration Policies — Proposal for an OSCE Contribution” (CIO.GAL/182/05).

At the meeting of the Economic and Environmental Subcommittee on 8 September 2006, the following migration-related activities were presented and discussed:

- Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination;
- The Workshop on the Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination, 6 and 7 December 2006, Moscow;
- Inter-organizational project on Improving International Labour Migration Statistics and Research in SPECA Countries, as well as the OSCE component on environmentally induced migration.

## **3. Mediterranean seminar on “The OSCE Mediterranean Partnership: From Recommendation to Implementation”, Sharm El-Sheik, 6 and 7 November 2006**

The first session of the 2006 Mediterranean Seminar was devoted to: “The economic and human dimensions of migration. Ways to improve the mutual benefits of legal migration between countries of origin and destination; the fight against illegal migration; integration of legal migrants.”

The representative of the OCEEA addressed the session, giving an economic-dimension perspective to the issue of (labour) migration management. The OCEEA was interested in involving the Mediterranean Partners as far as possible in some concrete projects and/or increased dialogue and exchanges of experience, particularly related to the Handbook on Labour Migration Policies, the operation of effective migrant information and training centres for potential, leaving and returning migrants, and environmentally induced migration.

During the seminar, the OSCE delegations discussed the need to combat illegal migration in the Mediterranean region.

The Handbook on Labour Migration Policies was also presented to the participants by a representative of the IOM. The presentation focused on how the Handbook could serve as a tool for policy-makers in the Mediterranean region for improving the mutual benefits of legal migration, reducing irregular migration and promoting integration.

A number of delegates expressed interest in organizing a regional event to promote the OSCE/IOM/ILO Handbook on Labour Migration Policies. The OCEEA will consult with the current and the incoming Chairpersons as well as with interested participating and partner countries, about the possibility of updating the Handbook to include some recent best practices from the Mediterranean region, reprinting it in Arabic and organizing a joint capacity-building seminar based on it in one of the Mediterranean countries in 2007. This activity would be carried out in partnership with the IOM and the ILO.

#### **4. Activities of field presences**

The OSCE Office in Yerevan co-hosted a conference on return and reintegration of migrants in Armenia on 3 April 2006.

The OSCE Centres in Almaty and Bishkek and the Kazakh International Centre for Journalism MediaNet organized a three-day training course on labour migration for journalists from Kazakhstan and Kyrgyzstan in Almaty in mid-August 2006. The participants in the course discussed legal and illegal labour migration from Kyrgyzstan to Kazakhstan, the legislation that regulates migration flows and ways of reporting on them.

The OSCE Centre in Dushanbe continued in 2006 to support the OSCE-IOM Information Resource Centre for Labour Migrants (IRCLM) in Dushanbe (established with OSCE funding in 2004 and fully supported by the OSCE since then). In addition, Regional Information Centres for Labour Migrants in main source areas of migrants were opened in Khujand, Kurghon-teppa, Kulyab and Sharitus. NGO staff for these centres were trained last year by the IRCLM.

In 2007, the Centre in Dushanbe will continue to support the regional centres established in 2006 and set up new facilities as needed (based on the estimated number of migrants) and as requested by local authorities.

The OSCE Centre in Bishkek plans to support the capacity-building activities of the Bishkek Labour Migration Centre in 2007 in co-operation with the Eurasia Foundation.

#### **5. Office for Democratic Institutions and Human Rights (ODIHR)**

##### ODIHR activities relating to migration since December 2005

The Human Dimension Seminar on Migration and Integration organized in May 2005 at the request of the Slovenian Chairmanship of the OSCE put forward a number of important recommendations for both the participating States and the OSCE. Building on those recommendations, the ODIHR is implementing concrete activities aimed at protecting the rights of migrants in the OSCE area.

### Labour migration in Central Asia: the case of Kazakhstan

Implemented by the OSCE/ODIHR, the OSCE Centre in Almaty, the UNESCO Almaty Cluster Office and the OCEEA. Timeframe: April 2006–April 2007.

One of the main recommendations of the Human Dimension Seminar in May 2005 was that a sensible migration policy can be — and indeed should be — both humane and pragmatic, effectively protecting the rights of migrants while at the same time enabling the receiving countries to fill niches in the sectors of their economies where there is a shortage of domestic labour. In April 2006, the ODIHR, in co-operation with the OSCE Centre in Almaty, the UNESCO Almaty Cluster Office and the OCEEA, launched its assistance to the development of a migration policy in line with the OSCE commitments in Kazakhstan, a new destination country for labour migration flows in the OSCE area.

Over the last decade, dynamic economic development has transformed Kazakhstan into a major destination country for labour migration flows in Central Asia. The country's legislation and migration policy were, however, unprepared to cope with this situation and proved unable to react efficiently to the challenges of this new reality. Consequently, the bulk of labour migration to Kazakhstan passed through informal channels, with the concomitant risk of violations of human rights (including cases of forced labour and slavery).

A research project was launched, aimed at developing a fuller understanding of the scope, role and specific characteristics of the current labour migration to Kazakhstan from the countries of the Central Asian region. On the basis of this research, the project will make recommendations for the development of migration policy, with emphasis on migration as a factor in economic growth, human development and socio-political stability in the countries of the region.

A report will be prepared containing a number of practical recommendations for ways and means of adapting migration policy to current realities, while ensuring the protection of the rights of migrant workers. The report will be presented for discussion at a round table for the relevant government agencies to be held in Astana at the beginning of 2007.

### Information on and expert support for the elaboration of the state migration and integration policies in the Russian Federation

Pursuant to the recommendations of the OSCE Human Dimension Seminar in May 2005, under which the participating States were called upon to “exchange information on migration management and integration programmes, including national experiences on regularization and legal status of migrants”, the ODIHR, in co-operation with the International Organization for Migration (IOM) and at the request of Russian Government institutions, launched a project on information and expert support to the state programme on the regularization of migrants.

In 2005, the political leadership of the Russian Federation officially declared the need for a more comprehensive migration policy in order to meet the serious demographic and economic challenges that were arising. The ODIHR/IOM project aimed at providing decision-makers with information on the attitudes of the main stakeholders (irregular foreign workers, employers and experts) in the regularization programme as a basis for more grounded and effective decisions. In particular, in September–December 2005, the ODIHR,

in co-operation with the IOM-Moscow conducted a number of surveys targeting employers, migrants (Moscow and Sverdlovsk regions) and regional authorities in 20 regions of the Russian Federation. The results of the surveys were presented at a round table for government officials involved in the regularization programme, organized by the OSCE/ODIHR, in co-operation with the IOM, in March 2006. The participants also discussed modalities for organizing the migration regularization programme in the Russian Federation with experts from countries which have in the past conducted similar programmes, such as Spain, Italy, Canada and the United States of America.

At the same time, as a part of the efforts to elaborate a sound integration policy, with the support of the ODIHR, the Ministry of the Interior of the Russian Federation started elaborating a comprehensive programme on admission, employment and legal status of migrant workers in the Russian regions. A survey was carried out among regional officials, law enforcement officers, migrants and employers in the Moscow and Volgograd regions, accompanied by an analysis of the regional legislation and its implementation. The ODIHR staff visited Volgograd from 12 to 14 June 2006 to evaluate the progress achieved in the implementation of the project and discuss further stages with the project partners and regional authorities. The elaboration of the recommendations, proposals for changes in the federal and regional legislation and information leaflets for migrant workers in their native languages would constitute the second stage of the project, which is planned to be implemented in the second half of 2006.

#### Other activities since December 2005

In co-operation with the OSCE Presence in Albania, the ODIHR is assisting and consulting with the Albanian Government regarding the project of the Ministry of the Interior for the modernization of the civil registry system and implementation of the address system. In May 2006, the ODIHR was requested by the Minister of the Interior of the Republic of Albania to provide assistance and expertise in the drafting of a detailed project document for the modernization of the civil registry and address systems. The ODIHR and the Ministry of the Interior have agreed on the framework and are to sign a Memorandum of Understanding regarding the provision of assistance and expertise.

In order to support efforts to combat discrimination against migrants, the ODIHR's Tolerance and Non-Discrimination Programme included the various good practices, tools and guidelines in its public information system, which was launched on 12 September 2006.

#### **6. High Commissioner on National Minorities (HCNM)**

##### Summary report on the activities of the HCNM in 2006 concerning migration and integration

In 2005, the HCNM contributed to the OSCE debate organized by the Slovenian Chairmanship on the integration of migrants and concluded that this issue, which is the object of wide public interest and discussion, had important implications for many OSCE participating States.

At its 2004 session in Edinburgh, the OSCE Parliamentary Assembly called upon the HCNM to "initiate a comparative study of the integration policies of established democracies



and analyse the effect on the position of new minorities”.<sup>1</sup> After careful consideration, the HCNM decided to commission such a study from the Migration Policy Group, a Brussels-based research institute which regularly carries out independent research on the issues of migration, integration, diversity and non-discrimination.<sup>2</sup> The HCNM presented the study, entitled “Policies on integration and diversity in some OSCE participating States”, along with his own analysis, at the July 2006 session of the OSCE Parliamentary Assembly in Brussels.<sup>3</sup>

The study covers the integration policies of seven Western democracies, namely, Canada, Denmark, France, Germany, the Netherlands, Sweden and the United Kingdom, selected on the grounds that they all have had substantial experience in implementing integration policies. The report examines all the fundamental aspects of these integration policies, e.g., non-discrimination, political participation, labour market integration; and access to education, health care and housing. It also examines policies that deal with the increasing ethnic, cultural and linguistic diversity of the societies concerned.

As the study demonstrates, there are many ways of defining those to whom integration policies can be applied. Rather than engaging in a controversial discussion on issues of definition, the study focuses on the “how” of integration rather than the “who”.

The study indicates similarities between the HCNM’s approach and the approaches followed by the countries which are the subject of the study. At the heart of the HCNM’s approach of “integration respecting diversity” lies the idea that States need to encourage participation in the political, social, economic and cultural life of mainstream society with a view to developing a sense of belonging, while at the same time protecting the rights of all persons to maintain their own identity, including their culture, language and religion.

There is experience of a range of different policies and measures to achieve integration and there should be scope to learn lessons from further analysis of the effectiveness of these different policies. Meanwhile, the extensive national debates on these topics in many OSCE participating States could not but benefit from openness and international expertise. The OSCE is well placed to provide a forum for taking forward this discussion, and the HCNM stands ready to contribute to this discussion, on the basis of mandate and extensive experience in dealing with questions concerning integration with respect for diversity.

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1 Paragraph 71 of the 2004 Edinburgh Declaration of the OSCE Parliamentary Assembly.

2 See the website of Migration Policy Group [http://: www.migpolgroup.com](http://www.migpolgroup.com).

3 The study, along with a cover note and the speech of the HCNM to the OSCE Parliamentary Assembly, is available at <http://www.osce.org/hcnm>.

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

(Annex 7 to MC(14) Journal No. 2 of 5 December 2006)

Your Excellency,

As Chairperson of the Forum for Security Co-operation (FSC), it is my pleasure to inform you about the Forum's activities since the Thirteenth Meeting of the Ministerial Council.

In 2006, the FSC was chaired successively by Bosnia-Herzegovina, Bulgaria and Canada. The Chairpersons worked in close co-operation, to implement a balanced and realistic annual programme of work, ensuring coherency and efficiency in the Forum's undertakings. Consistent with this plan, the Forum continued to discuss a wide range of politico-military issues, including arms control and confidence- and security-building measures (CSBMs). Its work took different forms, from engaging in special meetings, to developing best practice guides, receiving progress reports on a wide range of issues, continuing its involvement in projects relating to small arms and light weapons (SALW) and conventional ammunition, engaging in discussions of food-for-thought papers, and pursuing an ongoing Security Dialogue.

The high-level Seminar on Military Doctrine held on 14 and 15 February fully achieved its goal of examining changes in military doctrine derived from evolving threats, changing forms of conflict, emerging technologies, and their impact on armed forces and their defence structures. As the nature of the threats becomes more diffuse, the military response acts as a complement to civilian security measures. The participation of senior military and civilian defence experts contributed to a focussed discussion on a wide range of issues relating to military security in general and to FSC activities in particular.

As part of the FSC's work on existing OSCE commitments and new CSBMs, participating States engaged in a dialogue regarding two particular proposals introduced relating to prior notification of large-scale military transits and to the deployment of foreign military forces on the territory of an OSCE participating State in the zone of application of CSBMs. Discussion led to a broader dialogue on the basis for these proposals, which is expected to continue.

The Security Dialogue proved to be an extremely useful platform to connect the Forum with other organizations and relevant actors, making the FSC aware of parallel initiatives and developments. Prompted by recent discussions on how the OSCE can best adapt in order to address new threats to security, topics for Security Dialogue presentations were selected with a view to learning and analyzing how these challenges can be tackled using existing FSC tools. The Security Dialogue was particularly useful in providing information about some areas highlighted by the Seminar on Military Doctrine, such as rapidly deployable forces. To this end, the FSC Chairperson invited representatives from the European Union, the North Atlantic Treaty Organisation and the Collective Security Treaty

Organization to provide briefings on their respective rapidly deployable forces concept. Security Dialogue presentations also addressed a number of issues ranging from terrorism and counter-terrorism, civil-military emergency preparedness, to subregional efforts in the defence area.

The Sixteenth Annual Implementation Assessment Meeting (AIAM) held on 7 and 8 March provided participating States with an opportunity to exchange experiences and assess various politico-military commitments. The purpose of the Meeting was to discuss the present and future implementation of agreed CSBMs, as established in Chapter XI of the Vienna Document 1999. At the Meeting, proposals were made for further implementation of OSCE documents. There was also a general agreement that a revitalization of the agenda and the modalities of the AIAM could have a positive impact on its efficiency. In this context, discussions were held later in the year to advance proposals for next year's AIAM.

The topic of non-proliferation of weapons of mass destruction continued to be intensively discussed, pursuant to the decision adopted by the FSC on 30 November 2005 on examining the recommendations of the Committee Established Pursuant to UN Security Council resolution 1540 and on supporting the implementation of the resolution. Following presentations by the European Union on the EU strategy on non-proliferation, and by Ambassador Burian, Chairperson of the Committee established pursuant to UN Security Council Resolution 1540, the Forum decided in September to hold an OSCE FSC Workshop on the Implementation of UN Security Council resolution 1540, on 8 November 2006. The Workshop afforded an opportunity for experts to discuss the implementation of the resolution and ways in which the OSCE may contribute in assisting participating States to fulfil their reporting and implementation commitments, as well as to share best practices.

On 17 May, the FSC held a special meeting on SALW with a view to preparing for the United Nations Review Conference on the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects taking place in New York from 26 June to 7 July 2006. This FSC meeting prepared recommendations for formal OSCE statements to the UN Review Conference. The OSCE had made contributions in the past, and therefore placed great emphasis on remaining engaged with the UN process at an appropriate level. The OSCE Chairman-in-Office and the FSC Chairperson delivered statements at the Review Conference and organized a side event to showcase OSCE activities and projects in the fields of SALW and conventional ammunition.

In November, the Forum adopted a decision to hold a special FSC meeting on 21 March 2007 on combating the illicit trafficking of SALW by air. Participating States will be expected to share views on the potential for developing a mechanism to exchange information on their national legislation and regulations on import and export controls relating to the air transport sector, for engaging in a dialogue with private business actors in the air transport sector and competent international organizations, and for developing a best practice guide.

Implementation of the OSCE Documents on Small Arms and Light Weapons (2000) and Stockpiles of Conventional Ammunition (2003) also continued to receive considerable attention. Progress reports on the further implementation of both documents have been forwarded to the Ministerial Council. The successful completion of the first phase of the project in Tajikistan and ongoing projects in Armenia and Ukraine (Novobohdanivka) underline the progress achieved on implementation of the two OSCE documents. Work is

proceeding on project development in Kazakhstan and Belarus. A Memorandum of Understanding was concluded with the UNDP to allow for co-operation on SALW and conventional ammunition projects. The FSC was briefed regularly on these projects by heads of OSCE field missions, FSC co-ordinators, and the Conflict Prevention Centre. The Secretary General addressed the 26th Joint Meeting of the Forum for Security Co-operation and the Permanent Council on 15 November, providing an update and highlighting the implications of the surplus rocket fuel (melange) projects, notably in Ukraine, and inviting further attention and guidance from participating States.

In March, the FSC finalized a new Annex on National Procedures for Stockpile Management and Security of Man-Portable Air Defence Systems (MANPADS), attaching it to the Handbook of Best Practices on Small Arms and Light Weapons. The Annex is available in all the official OSCE languages, as well as in Arabic, both in hard copy and on CD-ROM, and is seen as reaffirming the Forum's commitment to complement and reinforce the implementation of the OSCE Document on SALW, as well as related OSCE outreach activities.

Moreover, two best practice guides related to the Document on Stockpiles of Conventional Ammunition have been completed and are ready for endorsement by the FSC. The guide on stockpile management recommends best practices to facilitate and enhance proper storage and control of conventional ammunition. The guide on transportation provides general recommendations and practical advice for transportation of conventional ammunition, with special consideration given to safety and security.

The Forum also prepared its contribution to the Annual Security Review Conference in June. This contribution was offered in the form of guidelines for the keynote speakers, in particular those in the session dealing with the politico-military aspects of security.

A special FSC meeting on the Code of Conduct on Politico-Military Aspects of Security was held on 27 September. The meeting focused on implementation of the Code, and discussed proposals for improving the implementation of these commitments, which may be taken up as a basis for further work. Experts from capitals joined in the discussions at the meeting, which recognized the Code as one of the most important normative cross-dimensional documents of the OSCE, and confirmed its continued relevance.

The Forum continued its co-operation with the Permanent Council and its sub-body, the Working Group on Non-Military Aspects of Security. The discussions in the Forum about security sector governance, which is seen to be linked with the Code of Conduct on Politico-Military Aspects of Security, attest to this ongoing collaboration on cross-dimensional issues. Furthermore, the briefings to the Forum by heads of OSCE field missions were particularly useful in linking politico-military activities with other dimensions.

The FSC's accomplishments in a broad range of politico-military activities attest to its contribution in enhancing comprehensive security across the OSCE area.

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

(MC.GAL/4/06/Corr.2 of 23 November 2006)

## **Executive Summary**

The OSCE Document on Small Arms and Light Weapons (SALW) mandates participating States, *inter alia*, to keep under regular review the implementation of the norms, principles and measures set forth in that Document. This report is designed to provide the Ministerial Council with a comprehensive and factual progress report concerning the status of implementation of the OSCE Document on SALW for the period from December 2005 to December 2006, as well as to indicate the areas where the most urgent action is needed.

The report covers the main areas of implementation of the OSCE Document on SALW. It provides a summary of information exchanges in 2006. It touches upon the update of the OSCE Handbook of Best Practices on SALW, which now includes an Annex concerning National Procedures for Stockpile Management and Security of Man-Portable Air Defence Systems (MANPADS).

This report also highlights the Forum for Security Co-operation's (FSC) Decision on Combating the Illicit Trafficking of SALW by Air.

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

Information on donors' assistance shows that in 2006, 1,070,767 euros were pledged for SALW projects, while in 2005, the total amount of financial aid amounted to approximately 500,000 euros. The OSCE participating States donated a total of almost 1.6 million euros for SALW projects in 2005–2006. The financial resources needed to continue the implementation of existing projects amount to around 3.4 million euros for 2007–2008.

This report covers co-operation within the OSCE, highlighting seminars, conferences and meetings on SALW organized in 2006. This includes seminars in Vienna, Zagreb, Bishkek and Ashgabad as well as numerous presentations in the FSC.

Special emphasis is placed on the co-operation with the United Nations (UN). The report stresses the importance of the Memorandum of Understanding with the UN Development Programme, which provides a non-exclusive framework of technical co-operation for the implementation of projects relating to SALW and conventional ammunition. The report also provides an account of OSCE participation in, and contribution to, the UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of SALW in all its Aspects, held

from 26 June to 7 July 2006, including the preparation of a comprehensive report on the Implementation of the UN Programme of Action by the OSCE at the regional level.

Conclusions are contained at the end of this report.

## **1. Introduction**

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

## **2. Objective**

This report aims at providing a comprehensive update on the implementation of commitments on SALW, as agreed by all the participating States. The report also describes the progress achieved on projects relating to SALW implemented in response to requests for assistance from participating States. Instead of presenting a full overview of SALW-related documents, decisions and activities/projects, the report concentrates on activities undertaken between December 2005 and December 2006 (for a full reference of OSCE activities on SALW, see MC.GAL/5/05).

The report is primarily designed to provide a basis for determining the current status regarding the implementation of the OSCE Document on SALW, commitments and projects, and to highlight the most challenging issues to be resolved.

## **3. Exchange of information within the OSCE**

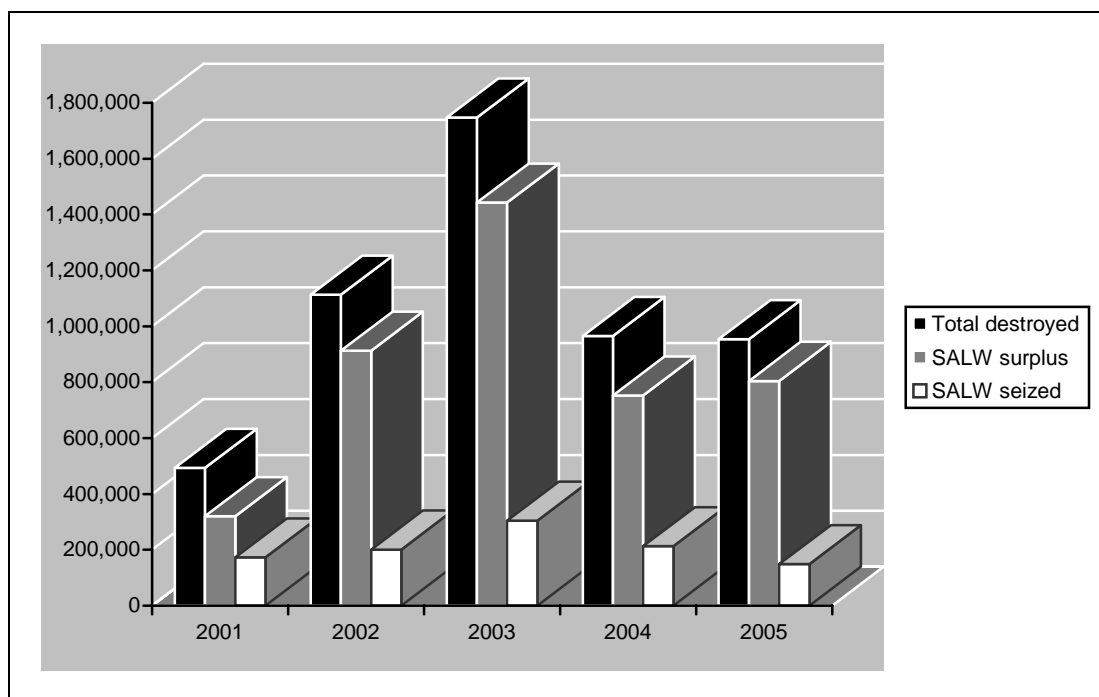
Under the OSCE Document on SALW, the participating States agreed to share and submit updated information, when necessary, on national marking systems; national procedures for the control of manufacturing; national legislation and current practice in export policy, procedures and documentation, and control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

<b>Reference (paragraph)</b>	<b>Quotation regarding implementation measures</b>	<b>Status (completed, in progress or pending)</b>
Section II (D) 1	The participating States agree to conduct an information exchange on their national marking systems used in the manufacture and/or import of small arms, as well as on national procedures for the control of the manufacture of such arms.	2006 – 52 submissions
Section III (F) 1	The participating States agree to conduct an information exchange among themselves about their small arms exports to, and imports from, other participating States during the previous calendar year. They also agree to study ways to further improve the information exchange on transfers of small arms.	2006 – 46 submissions
Section III (F) 2	The participating States will exchange with each other available information on relevant national legislation and current practice on export policy, procedures, documentation and on control over international brokering in small arms in order to spread awareness of “best practices” in these areas.	2006 – 52 submissions
Section IV (E) 2	The participating States will exchange information of a general nature about their national stockpile management and security procedures. The FSC will consider developing a best practice guide designed to promote effective stockpile management and security.	2006 – 49 submissions
Section IV (E) 3	The participating States agree to exchange information on their techniques and procedures for the destruction of small arms. The FSC will consider developing a best practice guide of techniques and procedures for the destruction of small arms.	2006 – 51 submissions

#### 4. Destruction of SALW

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

According to the data exchanged, during the period from 2001 to 2005, the OSCE participating States destroyed 5,273,168 units of SALW. Of these, 4,352,154 units were deemed to be surplus and 921,014 units were seized from illegal possession and trafficking.



#### 5. Update of the OSCE Handbook of Best Practices on SALW

In order to address threats posed by unauthorized proliferation and use of MANPADS, especially to civil aviation, the FSC adopted in March 2006 Annex C to the Best Practice Guide on National Procedures for Stockpile Management and Security of the OSCE Handbook of Best Practices on SALW. Annex C of the updated Guide on Stockpile Management has been made available in all the OSCE languages in hard copy, on CD-ROMs



and on the OSCE public website. In line with FSC Decision No. 3/06 calling for the dissemination of the Document, Germany provided a translation of it into Arabic, and together with the Conflict Prevention Centre (CPC), handed over an official copy of Annex C to the OSCE Mediterranean Partners for Co-operation on 20 October 2006.

## **6. Decision on Combating the Illicit Trafficking of SALW by Air**

In order to support the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade of SALW in all its Aspects, as well as to implement commitments contained in the OSCE Document on SALW, the FSC launched an initiative on reinforcing controls over the air cargo sector. In this respect, the Forum adopted a Decision on holding a special meeting of the FSC on 21 March 2007 to discuss the following main issues: (1) development of a mechanism to exchange information on participating States' national legislation and regulations on import and export controls relating to the air transport sector; (2) engagement in a dialogue with private business actors in the air transport sector and competent international organizations; and (3) development of a best practice guide on combating the illicit trafficking of SALW by air in all its aspects.

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

### **7.1 Belarus**

In July 2003, Belarus submitted a request for assistance in destroying surplus SALW and MANPADS, and improving the security of the existing stockpiles of SALW. Pursuant to the request, the OSCE conducted a series of assessment and project development visits from April 2004 to March 2005. As a result, a project plan was presented to the participating States in September 2005. In order to demonstrate its national commitment to the project, Belarus unilaterally destroyed 14 MANPADS in May 2005. The Government of Belarus also continued destruction of other surplus SALW by its own means.

The OSCE and the Government of Belarus agreed that the UNDP be the implementing agency for the project to be implemented in 2007–2008, with a total budget of about 2.9 million euros. In parallel, in June 2006, the OSCE signed a Memorandum of Understanding with the UNDP that serves as a general framework for technical co-operation in implementing projects relating to SALW and conventional ammunition.

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

<b>Donor</b>	<b>Funds pledged (EUR)</b>
Belgium	55,000
Spain	100,000
Sweden	200,000
UK	145,000
<b>Total 2006</b>	<b>EUR 500,000</b>

## 7.2 Tajikistan

The OSCE Centre in Dushanbe continued implementation of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan. Phase I of the Programme addressed SALW and ammunition problems experienced by Tajik law enforcement authorities and geographically concentrated on the city of Dushanbe and its surroundings.

Phase I of the Programme consisted of four tasks. Tasks II and III dealt with SALW:

- Task II, SALW Destruction — National-Capacity Building, was completed in June 2006. For the total budget of 164,000 euros, a fully functional National Weapon Destruction Facility was established in Dushanbe. In September–November 2006, over 2,000 out of 26,000 pieces were destroyed there;
- Task III, SALW Stockpile Management and Security, was completed in September 2006. For the total budget of 306,500 euros, several new storage facilities were constructed and existing ones refurbished at seven sites belonging to the Tajik law enforcement authorities.

A donors' visit to Tajikistan was conducted from 18 to 22 March 2006, in order to evaluate the progress of Phase I and to discuss a possible continuation of the project in a Phase II (final phase). The donor team consisted of representatives from Norway, Sweden, Slovenia and Finland.

Additionally, Physical Security Stockpile Management (PSSM) training was conducted by the United States of America and the OSCE Centre in Dushanbe in July 2006.

The OSCE Centre in Dushanbe regularly reported to the FSC and donors on the implementation of the project. Phase I of the Programme has been completed and the final report of Phase I has been submitted to the FSC.

Bearing in mind the successful implementation of Phase I, in March 2006, the Government of Tajikistan requested that the Programme be expanded to cover other areas of the country. Having received preliminary support from donors, in April 2006, the Centre in Dushanbe and the Conflict Prevention Centre (CPC), supported by technical experts, conducted an assessment visit in five regions of Tajikistan, including at the Tajik-Afghan border. The visit confirmed the need and identified the scope for possible further assistance. A project proposal for Phase II was submitted to the FSC in May 2006 (FSC.FR/2/06).

Phase II, scheduled for 2006–2007, comprises of five tasks, of which Tasks III and V deal with physical security of stockpiles of SALW. It aims at increasing regional stability, control of SALW and the anti-drug-trafficking capabilities of the law enforcement authorities throughout the territory of Tajikistan. The total estimated budget for Task III is 1,206,000 euros. Fund-raising efforts are underway, and the implementation of the project has already started. Task V will provide enhanced training on SALW and ammunition for technicians and stockpile commanders.

The following contributions have been officially pledged by OSCE participating States to support the SALW part of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan (Phases I and II):

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Phase</b>
<b>2005</b>		
Finland	100,000	Phase I
Norway	30,000	Phase I (for both SALW and conventional ammunition)
Norway	In kind (Secondment of Chief Technical Adviser)	Phase I
Sweden	170,296	Phase I
USA	In kind (Physical Security and Stockpile Management Course)	Phase I
USA	164,000	Phase I
<b>2006</b>		
Belgium	50,000	Phase II
Finland	100,000	Phase II
Norway	In kind (Secondment of Chief Technical Adviser)	Phase II
Norway	40,000	Phase II (for both SALW and conventional ammunition)
Sweden	100,000	Phase II
USA	In kind (Physical Security and Stockpile Management Course)	Phase II
USA	234,000	Phase II
<b>Total 2005–2006</b>	<b>EUR 988,296</b>	

### 7.3 Donors

The table below indicates pledges of financial support made by delegations towards the implementation of projects on SALW received during 2005 and 2006.

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country assisted</b>
<b>2005</b>		
Finland	100,000	Tajikistan, Phase I
Finland	9,033	Kazakhstan, Phase I
Germany	5,000	Kazakhstan
Norway	30,000	Tajikistan, Phase I (for both SALW and conventional ammunition)

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country assisted</b>
<b>2005</b>		
Norway	In kind (Secondment of Chief Technical Adviser)	Tajikistan, Phase I
Norway	7,500	Kazakhstan
Sweden	170,296	Tajikistan, Phase I
Sweden	3,826	Kazakhstan
USA	In kind (Physical Security and Stockpile Management Course)	Tajikistan, Phase I
USA	164,000	Tajikistan, Phase I
<b>2006</b>		
Belgium	55,000	Belarus, OSCE-UNDP Project
Belgium	50,000	Tajikistan, Phase II
Finland	100,000	Tajikistan, Phase II
Germany	15,000	OSCE Workshop on Control of Brokering Activities relating to SALW in South Eastern Europe and the Caucasus
Netherlands	16,767	OSCE Workshop on Control of Brokering Activities on SALW in SEE and the Caucasus
Norway	15,000	OSCE Workshop on Control of Brokering Activities relating to SALW in SEE and the Caucasus
Norway	In kind (Secondment of Chief Technical Adviser)	Tajikistan, Phase II
Norway	40,000	Tajikistan, Phase II (for both SALW and conventional ammunition)
Spain	100,000	Belarus, OSCE-UNDP Project
Sweden	100,000	Tajikistan, Phase II
Sweden	200,000	Belarus, OSCE-UNDP Project
UK	145,000	Belarus, OSCE-UNDP Project
USA	234,000	Tajikistan, Phase II
<b>Total 2005–2006</b>	<b>EUR 1,560,422</b>	

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

### **8.1 Meetings, seminars and conferences on SALW organized by the OSCE in 2006**

Special FSC Meeting on SALW, Vienna, 17 May 2006: On 17 May 2006, the FSC organized a Special Meeting on SALW in Preparation for the UN Review Conference on the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. The meeting aimed at preparing recommendations for a formal OSCE statement to the UN Review Conference, held in New York from 26 June to 7 July 2006. The meeting also provided an opportunity for extensive exchanges of ideas and suggestions regarding both OSCE activities on SALW and the OSCE contribution to the UN Review Conference (FSC.DEL/208/06).

OSCE-RACVIAC Workshop on Control of Brokering in SALW in South East Europe (SEE) and the Caucasus, Zagreb, 29 and 30 March 2006: On 29 and 30 March 2006, the Governments of Germany, the Netherlands and Norway, supported by the CPC, organized a meeting in Zagreb on the control of SALW brokering in SEE and the Caucasus. Representatives from all the SEE and Caucasus States participated in the Workshop, together with representatives of NGOs and research institutes. A detailed discussion took place on factors influencing the development of national legislation on brokering in SALW, based on the situation analysis in general as well as in the region in question.

Seminar on SALW and Stockpile of Conventional Ammunition Management and Security, Bishkek, 7 and 8 June 2006: The CPC, in co-operation with the Kyrgyz authorities, conducted a seminar on SALW and Stockpile of Conventional Ammunition Management and Security in Kyrgyzstan on 7 and 8 June 2006. The seminar was supported by the OSCE Centre in Bishkek and attended by Kyrgyz representatives together with experts from Germany, Spain, the United Kingdom, the United States of America, the Small Arms Survey and the South Eastern and Eastern Europe Clearinghouse for the Control of SALW (SEESAC). Its purpose was to share OSCE and national practices and experience in effective management of SALW and stockpile of conventional ammunition. It also identified Kyrgyzstan's achievements and problems in dealing with the issue.

SALW workshops in Ashgabad, from 2 to 8 November 2006: The OSCE Centre in Ashgabad, supported by the CPC, conducted two SALW workshops from 2 to 8 November 2006. The titles of the workshops were "Identifying and Tracing SALW with an Emphasis on MANPADS" and "Illicit Trafficking of SALW". The workshops were directed towards Turkmen authorities dealing with SALW and conventional ammunition and aimed at increasing awareness of these issues as well as identifying areas for further capacity-building. Participating States, the CPC and the ATU provided experts to the seminars.

### **8.2 Other events**

SALW-related presentations at the Security Dialogue of the FSC: In 2006, two Security Dialogue presentations relevant to OSCE action on SALW were given at FSC meetings:

- "Tajikistan's road to stability — the reduction in small arms proliferation and remaining challenges", presented by the Small Arms Survey Report on 22 February 2006;

- “EU strategy and action plan on SALW and explosive remnants of war”, presented by the EU Presidency, the European Commission and SEESAC on 29 March 2006.

Exhibition at the Seminar on Military Doctrine, Vienna, 14 and 15 February 2006: On the side lines of the Seminar on Military Doctrine, held by the FSC on 14 and 15 February 2006, the CPC presented a photo exhibition. The displayed pictures, taken during assessment visits, showed the condition of SALW as well as conventional ammunition stored in Tajikistan, Kazakhstan, Belarus and Ukraine. The photos also documented the work performed by the OSCE in refurbishing and building storage sites in Tajikistan as part of activities undertaken by the Organization in the context of Phase I of the OSCE Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan.

## **9. Co-operation with the UN and participation in events organized by other international and regional organizations**

### **9.1 Memorandum of Understanding with the UNDP**

In line with the UN Programme of Action on SALW that encourages regional organizations to co-operate, and to develop and strengthen partnerships to share resources to combat illicit SALW, the OSCE developed a general framework for technical co-operation with the UNDP. A Memorandum of Understanding was signed by the two organizations in June 2006 and is aimed at providing a non-exclusive framework of technical co-operation for the implementation of projects on SALW and conventional ammunition.

### **9.2 Preparation for and participation in the UN Conference to Review Progress Made in the Implementation of the Programme of Action, New York, 2006**

FSC representatives participated in the Preparatory Committee Meeting for the UN Review Conference, which was held in New York from 9 to 20 January 2006.

At the UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in all its Aspects, which took place from 26 June to 7 July 2006, H.E. Karel De Gucht, Minister for Foreign Affairs of Belgium, in his capacity as the OSCE Chairman-in-Office, delivered a statement during the high-level segment, on Monday, 26 June 2006. Mr. Peter Poptchev, Chargé d’Affaires and Chairperson of the FSC, addressed the Review Conference on behalf of the OSCE during the session devoted to the statements of international and regional organizations, on Thursday, 29 June 2006.

The OSCE organized a side event at the Conference on Monday, 3 July 2006, entitled “From Norm-Setting to the Implementation of Commitments: The OSCE Contribution to the UN Programme of Action on SALW”. The meeting presented the main achievements of the OSCE in combating the proliferation of illicit SALW since the adoption of the UN Programme of Action in 2001.

The CPC also prepared a report to the Review Conference on the Implementation of the United Nations Programme of Action on SALW, reflecting activities that the OSCE has undertaken in implementing the Programme between 2001 and 2006 (FSC.GAL/59/06).

For the duration of the two-week Conference, the OSCE had an exhibition stand in the lobby area, presenting OSCE projects to address assistance requests relating to small arms and conventional ammunition.

### **9.3 NATO Euro-Atlantic Partnership Council, Brussels, 12 June 2006**

On 12 June 2006, Mr. Peter Poptchev, the Bulgarian FSC Chairperson; Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator for SALW projects; and Mr. Jernej Cimperšek, Counsellor at the Slovenian Mission and FSC Co-ordinator for Conventional Ammunition, delivered presentations on the OSCE activities relating to SALW and stockpiles of conventional ammunition and on the possible exchange of information with the NATO Partnership for Peace Trust Fund on ongoing projects.

### **9.4 EU-CODUN, Brussels, 28 September 2006**

On 28 September 2006, Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator for SALW Projects, and Colonel Anders Gardberg, Senior Military Adviser to the Permanent Mission of Finland to the OSCE, delivered presentations on the OSCE's activities on SALW and stockpiles of conventional ammunition, and on the role of the EU in the OSCE's work on SALW. Delegations positively assessed this initiative, designed to allow for enhanced co-ordination between the OSCE and the EU in these fields.

### **9.5 Participation in other events**

During 2006, the representatives of the FSC Chairperson and the CPC continued to promote the OSCE's outreach activities by participating in events organized by other international and regional organizations. The seminars and workshops at which presentations were given are listed below. The table does not include participation in the UN Conference to Review Progress Made in the Implementation of the Programme of Action, since the issue is discussed in section 9.2.

<b>OSCE/FSC participation in SALW-related events organized by other international and regional organizations</b>		
<b>Date</b>	<b>Title</b>	<b>Place</b>
<b>2005</b>		
7–8 December	Strengthening European Action on Non-Proliferation and Disarmament: How Can Community Instruments Contribute?	Brussels, Belgium
8–9 December	Parliamentary Conference on the Implementation of the Nairobi Protocol for the Prevention, Control and Reduction of SALW in the Great Lakes Region and the Horn of Africa	Mombasa, Kenya
<b>2006</b>		
23–24 March	SALW and Explosive Remnants of War in North Africa	Tunis, Tunisia
8–9 May	Towards a Successful UN Review Conference	Helsinki, Finland

## **10. Conclusions**

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

At the UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in all its Aspects, many participating States reconfirmed the importance of regional and sub-regional organizations in the field of SALW.

The implementation of Section V of the OSCE Document on SALW regarding requests for assistance from the participating States in the field of destruction, stockpile management and security remains one of the most dynamic areas of implementation of the Document.

The practice of regular reporting to the FSC on the status of implementation on relevant projects has proved to be an important tool for effective and efficient management of OSCE projects on SALW.

Promotion, outside the OSCE area, of best practices on SALW, as well as other relevant FSC decisions, is an important part of the implementation of the OSCE Document on SALW.

The implementation rate with respect to information exchanges remains high. However, it is still difficult to determine what has improved qualitatively as a result of specific measures implemented in the course of the years, and/or what kind of adjustments could be considered with regard to the various information exchanges.

The implementation of FSC decisions in the area of export controls of SALW, including MANPADS, remains unclear. Therefore more attention could be paid by the FSC to follow-up on their implementation.

In the light of UN Conference to Review Progress Made in the Implementation of the Programme of Action, particular emphasis could be placed on regional and subregional co-operation. Support could also be given to the international instrument on marking and tracing of SALW, adopted by the General Assembly in 2005.

## **11. Annex**

Synopsis of Status of SALW and Conventional Ammunition Requests for Assistance in the OSCE



**SYNOPSIS OF STATUS OF SALW AND CONVENTIONAL  
AMMUNITION PROJECTS IN THE OSCE IN 2006**

**(Prepared by the FSC co-ordinators for SALW  
and SCA projects and the CPC)**

**PART A: SALW (Based on the Expert Advice on Implementation of Section V of the  
OSCE SALW Document, FSC.DEC/15/02)**

<b>On-going Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Status</b>	<b>Timeline</b>	<b>Funding</b>
<b>Tajikistan</b>	SALW and CA Programme. Phase II.  Task II — SALW and CA stockpile physical security  Task V — SALW and CA physical security training	Design of legal framework for implementation with implementing partners	2006–2008	<b><u>Project: 5500165</u></b> Task III budget: EUR 1,205,997 Funds pledged: EUR 484,000  <b><u>Task III Required Funds: EUR 721,997</u></b>  Task V budget: EUR 50,280  <b><u>Task V Required Funds: EUR 50,280</u></b>
<b>Belarus</b>	Improvement of SALW stockpile management and security of 16 storage sites	UNDP is implementing agency. Project implementation plan is signed by UNDP and Belarus. National registration procedure preceding plan's implementation is expected to be completed soon. Selection of programme manager is in process.	2006–2008	Total budget is EUR 2,900,000 Funds pledged: EUR 500,000  <b><u>Funds required: 2,400,000</u></b>

<b>Completed projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Budget</b>	<b>Timeline</b>	<b>Implementing agent</b>
<b>Tajikistan</b>	SALW and CA Programme. Phase I.	Task II — EUR 164,000	2005–2006	OSCE Centre in Dushanbe. Final report provided to the Group of Friends of Tajikistan on 14 November 2006
	Task II — SALW Destruction — National capacity-building.	Task III — EUR 306,500		
	Task III — SALW stockpile management and security			

**PART B: SCA (Based on the Procedure outlined in the OSCE Document on Stockpiles of Conventional Ammunition, FSC.DOC/1/03)**

<b>On-going Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Status</b>	<b>Timeline</b>	<b>Funding</b>
<b>Tajikistan</b>	SALW and CA Programme. Phase II. Regional aspects.	Phase II Assessment and project development completed in May 2006.	2006–2008	<b><u>Project: 5500165</u></b> Task I budget: EUR 36,990 Funds pledged: EUR 39,800
	Task I. Surplus CA disposal.	Technical preparations in process.		<b><u>Task I Funds Required: EUR 0</u></b>
	Task II. Improvised explosive devices disposal — Capacity-building	Design of legal framework for implementation with implementing partners		Task II budget: EUR 110,250 Funds pledged: EUR 110,250
	Task IV. CA storage — MOD capacity-building			<b><u>Task II Required Funds: EUR 0</u></b>  Task IV budget: EUR 161,637 Funds pledged: EUR 150,000  <b><u>Task IV Required Funds: EUR 11,637</u></b>

<b>On-going Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Status</b>	<b>Timeline</b>	<b>Funding</b>
<b>Armenia</b>	Disposal of 862 tons of melange.	Phase III. Implementation. 52 per cent of melange converted into low-grade fertilizer and distributed to local farms. October 2005– March 2006 disposal plant is suspended for season break.	2006–2007	Total budget EUR 1,247,000  <b><u>Funds Required: EUR 0</u></b>

<b>On-going Projects</b>				
<b>Ukraine</b>	Assistance to State programme on overcoming consequences of ammunition explosions in Novobogdanivka implementation.	Phase I. Procurement of required equipment is in process.	2006	<b><u>Project: 32000048</u></b> Total budget: EUR 225,000 Funds pledged: EUR 208,500  <b><u>Funds Required: EUR 16,500</u></b>
<b>Kazakhstan</b>	Disposal of 1,400 tons of melange	Phase II. “Tendering, budgeting, contracting”. Tender results are in post-qualification phase.  MoU on project implementation is under development. Draft Project proposal presented to the FSC (SEC.GAL/175/06, FSC.FR/7/06/Add.1)  Phase III. Implementation is scheduled for 2007–2008	2006          2007–2008	Budget for Phase III “Implementation”: EUR 1,374,000 Funds pledged: EUR 150,000  <b><u>Estimated Funds Required: EUR 1,224,000</u></b>

<b>On-going Projects</b>				
<b>Ukraine</b>	Disposal of 16,343 tons of melange	Phase II. "Tendering, budgeting, contracting" is in preparation. MoU on project implementation and Project management structure are under development.	2006	Estimate budget for Phase III "Implementation": EUR 10,300,000 for 2007-2009 Funds pledged: EUR 250,000
		Phase III. Implementation is divided in 5 separate tasks following risk-oriented sequence	2007-2009	<b><u>Minimum funds estimated for Task I (2007) is EUR 2,050,000</u></b>  <b><u>Estimated Total Funds Required: EUR 10,050,000.</u></b>
<b>Completed Projects</b>				
<b>Country</b>	<b>Project Description</b>	<b>Budget</b>	<b>Timeline</b>	<b>Implementing agent</b>
<b>Tajikistan</b>	SALW and CA Programme. Phase I.  Task I — CA destruction — National Capacity-building.	Task I: EUR 120,000	April 2006	OSCE Centre in Dushanbe. Final report provided to the Group of Friends of Tajikistan on 14 November 2006
	Task IV — CA stockpile management and security	Task IV: EUR 93,000	December 2006	

<b>Requests for assistance</b>				
<b>Country</b>	<b>Request Description</b>	<b>Status</b>		
<b>Russian Federation</b>	Disposal of 100,000 tons surplus ammunition in Kaliningrad oblast.	Initial assessment/project development completed July 2006. Consultations in process.	n/a	n/a

<b>Requests for assistance</b>				
<b>Country</b>	<b>Request Description</b>	<b>Status</b>		
<b>Belarus</b>	Disposal of 97,000 tons of surplus ammunition	No activities		
<b>Kazakhstan</b>	Assistance in ammunition disposal	Initial assessment conducted. Additional information required for project development is requested.	n/a	n/a
<b>Azerbaijan</b>	Clean-up of melange storage sites	Phase I. Initial assessment completed in 2005. Project development is in process	n/a	n/a
<b>Uzbekistan</b>	Disposal of 1,500 tons of melange	No activities	n/a	n/a

**PART C: DONORS SUPPORT 2005–2006**

<b>SALW Projects</b>		
<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country Assisted</b>
Belgium	55,000	Belarus, OSCE-UNDP Project
Belgium	50,000	Tajikistan, Phase II
Finland	100,000	Tajikistan, Phase I
Finland	100,000	Tajikistan, Phase II
Norway	30,000	Tajikistan, Phase I
Norway	40,000	Tajikistan, Phase II (SALW and CA)
Norway	Secondment of Chief Technical Adviser (both SALW and CA)	Tajikistan, Phase I, Phase II
Spain	100,000	Belarus, OSCE-UNDP Project
Sweden	200,000	Belarus, OSCE-UNDP Project
Sweden	170,575	Tajikistan, Phase I
Sweden	100,000	Tajikistan, Phase II
UK	145,000	Belarus, OSCE-UNDP Project
USA	164,000	Tajikistan, Phase I
USA	234,000	Tajikistan, Phase II
USA	Stockpile management course	Tajikistan, Phase I, Phase II

<b>CA Projects</b>		
<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country Assisted</b>
Andorra	20,000	Tajikistan Phase II
Belgium	25,000	Ukraine, Novobohdanivka
Canada	12,500	Armenia, melange
Canada	12,500	Kazakhstan, melange
Czech Republic	20,000	Ukraine, melange
Czech republic	30,000	Ukraine, Novobohdanivka
Finland	266,408	Armenia, melange
France	In kind (EOD training programme — EUR 120,000)	Tajikistan, Phase I
Germany	65,000	Armenia, melange
Lithuania	10,000	Ukraine, Novobohdanivka
Luxembourg	20,000	Ukraine, Novobohdanivka
Netherlands	266,812	Tajikistan, Phase I
Norway	30,000	Tajikistan, Phase I
Norway	Secondment of Chief Technical Adviser (both CA and SALW)	Tajikistan, Phase I, Phase II
Norway	110,250	Tajikistan, Phase II
Norway	40,000	Tajikistan, Phase II
Poland	80,000	Ukraine, melange
Poland	39,400	Ukraine, Novobohdanivka
Slovenia	15,192	Azerbaijan, melange
Slovenia	40,000	Tajikistan, Phase I
Slovenia	19,808	Tajikistan, Phase II
Slovenia	25,000	Ukraine, Novobohdanivka
Spain	150,000	Ukraine, melange
Spain	150,000	Tajikistan, Phase II
Spain	150,000	Kazakhstan, melange
USA	903,454	Armenia, melange
USA	59,100	Ukraine, Novobohdanivka

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

(MC.GAL/5/06 of 21 November 2006)

**Executive Summary**

In accordance with Ministerial Council Decision No. 8/05, adopted in Ljubljana in 2005, this report provides a comprehensive factual progress report on the status of implementation of the OSCE Document on Stockpiles of Conventional Ammunition (SCA) for the period from December 2005 to December 2006. The report also indicates the specific areas where the most urgent action/assistance is needed. Conventional ammunition and liquid rocket fuel (melange) project activities have proven that this issue has a clear cross-dimensional impact and affects all three OSCE dimensions. The Document on SCA has also proven to be an instrumental tool for the OSCE in:

- Acquiring a clear understanding of the threats and requirements for assistance;
- Raising awareness and optimizing donors' support for the implementation of specific OSCE projects;
- Accumulating technical expertise and project implementation experience within the OSCE;
- Co-operating more effectively within the three OSCE dimensions and exchanging information with other international actors.

The OSCE Handbook of Best Practice Guides on Conventional Ammunition, based on national and international experiences, is intended to become a practical supplement to the Document on SCA, aimed at improving the national capabilities of participating States to tackle the problem themselves. In 2006, the FSC Editorial Review Board was developing four best practice guides and completed its work on two of them: on stockpile management, and on transportation of ammunition.

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

The report describes the progress achieved and future challenges in Armenia, Azerbaijan, Kazakhstan, the Russian Federation, Ukraine and Tajikistan.

Information on donors' assistance shows that, in 2006, 503,558 euros were pledged for projects on conventional ammunition. This is an increase from 407,171 euros in 2005. Additional 400,000 euros were pledged for elimination of the rocket fuel melange in 2006. The OSCE participating States donated at total of around 2.6 million euros for ammunition

and melange projects in 2005–2006. At the same time, the financial resources required to continue implementing existing projects or project proposals are around 13 million euros for 2007–2010.

The report also covers co-operation on this issue within the OSCE and exchange of information with other international organizations.

Conclusions are contained at the end of this report.

## **1. Introduction**

At the Thirteenth Meeting of the Ministerial Council in Ljubljana, the OSCE Forum for Security Co-operation, through its Chairperson, was tasked with submitting to the Fourteenth Meeting of the Ministerial Council a progress report on the further implementation of the OSCE Document on SCA (MC.DEC/8/05). The present report covers ongoing efforts to address the challenges posed by ammunition stockpiles, donors to relevant projects, as well as conclusions and recommendations. The report covers a period from December 2005 to December 2006. Although stockpiles of conventional ammunition and liquid rocket fuel are historically of military provenance, the risks that emanate from their presence today clearly transcend the boundaries of the politico-military dimension. It is now widely acknowledged that in almost all post-conflict environments, and in many developing countries, a physical risk exists to local communities from the presence of abandoned, damaged or inappropriately stored and managed stockpiles of ammunition and explosives. Over the past eight years, there have been more than 109 known or suspected explosive events in ammunition storage areas, of which 24 occurred in the OSCE participating States\*.

As shown in the report, the OSCE has been able to respond to requests and assist participating States in strengthening their national capacities by providing expertise, mobilizing resources, and co-ordinating with other international efforts.

## **2. Objective**

This report aims at providing a comprehensive progress report on the implementation of the general principles relating to conventional ammunition agreed by all the participating States as set forth in the Document on SCA. The report also describes the progress achieved on conventional ammunition project activities carried out in response to requests for assistance from participating States. It concentrates on activities undertaken between December 2005 and December 2006 (For a full listing of OSCE activities relating to conventional ammunition, see MC.GAL/4/05).

The report is primarily designed to provide an overview of the current status of projects and best practice guides, and to highlight the most challenging issues to be resolved, with a view to continuing implementation of the OSCE projects under the Document on SCA.

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\* Source: South Eastern and the Eastern Europe Clearinghouse for the Control of SALW report on recent explosive events (edition 8) of 12 June 2006.



### **3. National efforts to address the risks and dangers of stockpiles of ammunition, as well as the development of OSCE best practice guides**

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

In the OSCE Document on SCA, paragraph 14, the OSCE participating States recognize their national responsibility for their own stockpiles of conventional ammunition, explosive material and detonating devices, as well as for the identification and reduction of surpluses. In this regard, States have shared their national experiences in tackling specific ammunition problems through both general background information accompanying requests for assistance, and in kind contribution to the projects. Participating States have continued to share their national experiences and lessons learned with each other, and have participated in the development of best practice guides.

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

The FSC Editorial Review Board completed its work on two best practice guides for stockpiles of conventional ammunition. The first, on stockpile management, was drafted by the United States of America. The second, on transportation, was drafted by Germany.

The FSC made significant progress on additional topics during 2006. Two more guides were drafted: on marking, tracing and record-keeping, by Germany; and on destruction, by the Netherlands. Both are currently being reviewed by the Board.

The work of the FSC Editorial Review Board will continue in 2007.

### **4. Requests for assistance submitted by participating States to the OSCE Forum for Security Co-operation pursuant to the Document on SCA**

In 2006, the OSCE has continued the implementation of projects on conventional ammunition in response to requests for assistance submitted by participating States. Up to the end of 2006, ten requests have been submitted to the OSCE for assistance in disposal of conventional ammunition (Belarus, Kazakhstan, the Russian Federation, Tajikistan and Ukraine) and in the elimination of liquid rocket fuel component (melange) (Armenia, Azerbaijan, Kazakhstan, Ukraine and Uzbekistan). Some of these requests are being dealt with through the direct involvement of the FSC at all stages, while some are being processed through the OSCE field operations in close co-operation with the FSC.

Requesting State	Scope of the problem (as specified in national requests)
Ukraine	<ol style="list-style-type: none"> <li>1. New destruction capacities for hexogen and part-hexogen charges in Western Ukraine;</li> <li>2. Improvement of security system for ammunition stockpiles;</li> <li>3. Disposal of 16.5 tons of liquid rocket fuel component (melange);</li> <li>4. Action to deal with the consequences of the Novobohdanivka storage site disaster (destruction of remaining ammunition, area clean-up).</li> </ol>
Belarus	<p>Disposal of 97,000 tons of surplus ammunition, increasing by 4,000 to 7, 000 tons per year, including missiles and hexogen ammunition, through the development of national capacity or transportation for disposal in a third country. (While there is an ongoing State programme (2.5 million dollars) for disposal, Belarus is lacking the technical capacity to dispose of all types of surplus ammunition.)</p>
Russian Federation	<ol style="list-style-type: none"> <li>1. Request for the disposal of surplus ammunition in Kaliningrad Oblast (100,000 tons, including 20,000 tons in a dangerous condition). The initial suggestion was to improve existing national technology — mobile disposal stations. After the assessment visit, project descriptions were prepared for the destruction of 20,000 tons of obsolete ammunition, of which 5,000 tons are considered to be in need of priority destruction;</li> <li>2. Improvement of stockpile security and management.</li> </ol>
Tajikistan	<p>Specific situation: Organic arsenals stored together with unexploded ordnance (UXO) collected from the battlefield. Storage locations and conditions are not acceptable and present a serious danger to staff, local populations and civil infrastructure.</p>
Kazakhstan	<ol style="list-style-type: none"> <li>1. Assistance in the disposal of transportable conventional ammunition using industrial facilities in Arys and Kapshagai;</li> <li>2. Assistance in the disposal of non-transportable conventional ammunition in their storage locations (Ayaguz, Uch-Aral, Semipalatinsk and Ust-Kamenogorsk);</li> <li>3. Re-establishment of SCA test laboratory to carry out regular examination of conventional ammunition;</li> <li>4. Establishment of a conventional ammunition management system as an integral part of a common armed forces procurement and management system.</li> </ol>
Armenia	<p>Elimination of 862 tons of rocket fuel component (melange) stocks.</p>
Uzbekistan	<p>Elimination of over 1,000 tons of rocket fuel component (melange) stocks.</p>
Azerbaijan	<p>Elimination of 1,200 tons of rocket fuel component (melange) stocks and site clean-up.</p>
Kazakhstan	<p>Elimination of 1,550 tons of rocket fuel component (melange) stocks.</p>

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

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

Following the assessment visit to Kazakhstan in June 2005 related to the request for assistance in disposing of surplus ammunition, re-establishing a test laboratory and developing a computer-based stockpiles management system, the assessment report was circulated on 30 June 2005 (FSC.DEL/69/05). Following the discussion with the Ministry of Defence of Kazakhstan, the OSCE is awaiting additional information.

Following the request of the Russian Federation on destruction of conventional ammunition in Kaliningrad Oblast, the OSCE conducted an initial assessment visit led by Denmark, in November 2005. The report of the assessment team, distributed in July 2006 (FSC.DEL/241/06/Rev.1), confirmed the need for the destruction of over 100,000 tons of surplus ammunition. After the assessment visit, project descriptions were prepared for the destruction of 20,000 tons of obsolete ammunition, of which 5,000 tons are considered to be in need of priority destruction. Consultations between the Group of Friends of Kaliningrad and the Russian Federation on further steps are underway.

In 2005–2006, there were no activities with respect to Belarus' request for assistance.

### **4.1.2 Projects under implementation**

The OSCE Centre in Dushanbe, assisted by the Chief Technical Advisor seconded by Norway, continued the implementation of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan. Phase I of the Programme concentrated on the city of Dushanbe and its vicinity will be complete by December 2006, on time and within budget.

Phase I of the Programme consisted of four tasks. Tasks I and IV dealt with conventional ammunition:

- Task I, Conventional Ammunition Disposal — National Capacity-Building, was completed in April 2006. For the total budget of 120,000 euros, a fully operational National Demolition Centre was created in Lohur area, extensive training programme on unexploded ordnance devices (EOD) was conducted for defence staff, and over 35 tons of surplus ammunition, including UXO, were removed from Dushanbe and destroyed.
- Task IV, Ammunition Storage Facility for Tajikistan Border Protection Committee, was completed in November 2006. For the total budget of 93,000 euros, a central ammunition storage facility was erected.

Additionally, a Physical Security Stockpile Management (PSSM) Seminar was conducted by the United States of America, jointly with the OSCE Centre in Dushanbe, on 19 and 20 July 2006.

Donors visited Tajikistan from 18 to 22 March 2006 to evaluate the progress on Phase I, and discuss possible continuation of the project in Phase II. The donors' team was composed of representatives from Norway, Sweden, Slovenia and Finland.

The OSCE Centre in Dushanbe regularly reported to the FSC and donors on the implementation of the project. The OSCE Centre in Dushanbe presented the final report on Phase I to the Group of Friends of Tajikistan on 14 November 2006.

Bearing in mind the successful implementation of Phase I, in March 2006, the Government of Tajikistan requested that the Programme be expanded to cover other regions of the country. Having received preliminary support in the FSC, in April 2006, the Centre in Dushanbe and the Conflict Prevention Centre (CPC), supported by technical experts, conducted an assessment visit in five regions of Tajikistan, including at the Tajik-Afghan border. The visit confirmed the need and identified the scope for possible further assistance. A project proposal for Phase II was submitted to the FSC in May 2006 (FSC.FR/2/06).

Phase II, scheduled for 2006–2007, is comprised of five tasks, of which Tasks I, II and IV deal with conventional ammunition:

- Task I, Conventional Ammunition Disposal (Surplus Rocket Boosters C-75);
- Task II, Improvised Explosive Devices Disposal (IEDD) Capacity-Building;
- Task IV, Conventional Ammunition Storage Facility for the Ministry of Defence.

The total budget for these tasks is around 308,680 euros. Sufficient funds have been collected and the implementation of the project has also started.

The following contributions have been officially pledged by OSCE participating States to support the ammunition part of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan (Phases I and II):

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Phase</b>
<b>2005</b>		
France	In kind (EOD training programme — 60,000)	Phase I
Netherlands	266,812	Phase I
Norway	30,000	Phase I (for both SALW and conventional ammunition)
Norway	In kind (Secondment of Chief Technical Adviser)	Phase I
Slovenia	40,000	Phase I
USA	In kind (Physical Security and Stockpile Management Course)	Phase I
<b>Subtotal 2005</b>	<b>EUR 336,812</b>	
<b>2006</b>		
Andorra	20,000	Phase II
France	In kind (EOD training programme — 60,000)	Phase I

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Phase</b>
Norway	In kind (Secondment of Chief Technical Adviser)	Phase II
Norway	40,000	Phase II (both for SALW and CA)
Norway	110,250	Phase II
Slovenia	19,808	Phase II
Spain	150,000	Phase II
<b>Subtotal 2006</b>	<b>EUR 340,058</b>	
<b>Total 2005–2006</b>	<b>EUR 676,870</b>	

Following the initial request for assistance on conventional ammunition from Ukraine, several donor States expressed interest in developing a project to assist the Government of Ukraine to implement the State programme and action plan on urgent measures to deal with the devastating consequences of the technological disaster in Novobohdanivka (Zaporizhya region). Following a meeting with the Ukrainian authorities responsible for the implementation of the programme, an OSCE project was developed. The project aims at supporting Phases I and II of the State programme (clean-up of the site, collection of UXO) by providing detection and personal protection equipment in a value amounting to 570,000 euros. The OSCE Project Co-ordinator in Ukraine, at the request of the FSC, assumed the management of the project.

Bearing in mind Phase II of the State programme (disposal of collected UXO) the OSCE and the European Commission conducted a joint high level assessment visit to Novobohdanivka from 5 to 7 July 2006. A report reflecting the current status of implementation of the State programme, as well as assistance needed under the current phase (Phase II), and Phase III, which is to be implemented in 2007–2008, was circulated to participating States in September 2006 (FSC.DEL/398/06).

On 1 and 2 August 2006, at the request of the Project Co-ordinator in Ukraine, an assessment visit was conducted by EOD experts of the German armed forces. Their assessment was focused on methods and necessary equipment for searching for and disposing of UXO.

Based on recommendations in the reports from both visits, the Project Co-ordinator, jointly with the recipient State, corrected the list of required equipment, making it possible to reduce the funds needed to 225,000 euros. The completion of the project is expected to be completed within the next year and a half. On 15 November, the Project Co-ordinator briefed the FSC WG A on the status of the project implementation.

On 19 August 2006, another accident occurred in Novobohdanivka. This was the third explosion in this depot (the first one was in May 2004 and the second was in July 2005).

The following contributions have been officially pledged by OSCE participating States to support the OSCE project on provision of safety and clearance equipment to the government of Ukraine:

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2005</b>	
Luxembourg	20,000
Slovenia	25,000
<b>2006</b>	
Belgium	25,000
Czech Republic	30,000
Lithuania	10,000
Poland	39,400
USA	59,100
<b>Total 2005–2006</b>	<b>208,500</b>

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

In Armenia, Phases I and II of the project on elimination of liquid rocket fuel component (melange) were completed by the OSCE Office in Yerevan in 2005. On 7 November 2005, the Office and the Ministry of Defence of the Republic of Armenia signed an agreement for Phase III of the project (implementation), based on the terms and conditions set out in a Memorandum of Understanding signed on 30 September 2005. On 12 May 2006, the melange recycling installation was inaugurated by the OSCE Secretary General and the Minister for Defence of Armenia. On 5 July 2006, Ambassador Vladimir Pryakhin, Head of the OSCE Office in Yerevan, briefed the FSC on the status of the project. As of November 2006, 52 per cent of the melange had been converted into mineral dressing and distributed to the local agricultural area. Assuming favourable climatic conditions, it is expected that the recycling of 872 tons of melange will be finalized in the first half of 2007.

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

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2005</b>	
Canada	12,500
Finland	266,408
Germany	65,000
USA	903,454
<b>Total</b>	<b>1,247,362</b>

In Azerbaijan, Phase I, assessment, scoping study, was completed during the second half of 2005. After several OSCE meetings with NATO/NAMSA representatives and a study visit to the two melange and Samine storage sites, the involvement of the OSCE was determined to be facilitation of the disposal of Samine stocks and remediation of the site at Mengichevir through the OSCE Office in Baku. Following the assessment visit to Azerbaijan from 26 to 30 October 2005, a scoping study, circulated to the FSC on 16 November 2005, finalized Phase I of the melange project.

To this end, the OSCE Office in Baku briefed the FSC on the status of the project on 7 June 2006. Preliminary research into the scope of the pollution, undertaken by an international technical expert and with the support of the Azerbaijani Academy of Sciences, is taking place to confirm the need for further steps.

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2005</b>	
Slovenia	15,192

With a view to disposing of melange and samine stocks located at five sites on the territory of the country, in October 2005, the Government of Kazakhstan submitted a request for assistance to the OSCE. Following the assessment visit to Kazakhstan from 31 October to 3 November 2005, a scoping study (FSC.GAL/136/05), circulated to the FSC on 9 December 2005, finalized Phase I of the melange project. The study confirmed the urgent need for OSCE assistance in disposing of melange, and the Government of Kazakhstan has expressed its readiness to contribute in kind up to 30 per cent of the cost of implementation of the project by providing transportation, reallocation, loading services, as well as safety and security measures. Ambassador Ivar Vikki, Head of the OSCE Centre in Almaty, briefed the FSC on 24 May 2006 on the status of the request for assistance. Following the request from the OSCE Centre in Almaty to the OSCE Secretariat for assistance in conducting Phase II, Tendering, Budgeting, Fund-raising and Contracting, an international tender was launched. In the framework of the tender process, a pre-tender meeting was organized by the OSCE Centre in Almaty in July 2006 to provide an opportunity for potential bidders to assess the situation on site. On 20 September 2006, the OSCE Secretariat organized an information meeting on the development of the project on elimination of melange in Kazakhstan, followed by the signature of an appeal to donors by the Ministry of Defence of Kazakhstan and the OSCE Centre in Almaty. Ambassador Vikki updated the FSC on the status of the project on 1 November 2006.

On 15 November, on the occasion of a joint meeting of the FSC and Permanent Council, the Secretary General briefed the two bodies on the achievements and challenges regarding the melange projects in Ukraine and Kazakhstan.

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

<b>Donor</b>	<b>Funds Pledged (EUR)</b>
<b>2005</b>	
Canada	12,500
<b>2006</b>	
Spain	150,000

With respect to the request of Ukraine for assistance with the disposal of the existing stocks of melange, following the finalization and presentation to the FSC of the melange scoping study project (Phase I), the OSCE Project Co-ordinator (Project Co-ordinator) in Ukraine was encouraged by the FSC and the Permanent Council to continue with further project development. Phase II, "Tendering, Budgeting, Fund-raising and Contracting", of the melange project was launched by the Project Co-ordinator in November 2005. In 2006, the

Project Co-ordinator, together with the Ministry of Defence of Ukraine and supported by the OSCE Secretariat, developed terms of reference for the international tender on implementation of Phase III, melange disposal. The terms of reference divide the disposal of 16,200 tons of melange, located at six sites, in five implementation tasks following the risk-oriented sequence. These five tasks are expected to be implemented between 2007 and 2010, within an estimated budget of more than 10 million euros. Currently, the legal framework for international tender and implementation of Phase III, including the project management structure, is under development in close co-operation with the Government of Ukraine.

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

<b>Donor</b>	<b>Funds pledged (EUR)</b>
<b>2006</b>	
Czech Republic	20,000
Poland	80,000
Spain	150,000
<b>Total</b>	<b>250,000</b>

#### 4.3 Donors

The table below indicates pledges of financial support made by delegations towards the implementation of projects on conventional ammunition, explosive material and detonating devices, in 2005 and 2006.

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country assisted</b>
<b>2005</b>		
Finland	9,033	Kazakhstan
France	In kind (EOD training programme — 60,000)	Tajikistan, Phase I
Germany	5,000	Kazakhstan
Luxembourg	20,000	Ukraine, Novobohdanivka
Netherlands	266,812	Tajikistan, Phase I
Norway	30,000	Tajikistan, Phase I (for both SALW and conventional ammunition)
Norway	In kind (Secondment of Chief Technical Adviser)	Tajikistan, Phase I
Norway	7,500	Kazakhstan
Slovenia	40,000	Tajikistan, Phase I
Slovenia	25,000	Ukraine, Novobohdanivka
Sweden	3,826	Kazakhstan
USA	In kind (Physical Security and Stockpile Management Course)	Tajikistan, Phase I
<b>Subtotal 2005</b>	<b>407,171</b>	



<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country assisted</b>
<b>2006</b>		
Andorra	20,000	Tajikistan, Phase II
Belgium	25,000	Ukraine, Novobohdanivka
Czech Republic	30,000	Ukraine, Novobohdanivka
France	In kind (EOD training programme – 60,000)	Tajikistan, Phase I
Lithuania	10,000	Ukraine, Novobohdanivka
Norway	In kind (Secondment of Chief Technical Adviser)	Tajikistan, Phase II
Norway	40,000	Tajikistan, Phase II (both for SALW and CA)
Norway	110,250	Tajikistan, Phase II
Poland	39,400	Ukraine, Novobohdanivka
Slovenia	19,808	Tajikistan, Phase II
Spain	150,000	Tajikistan, Phase II
USA	59,100	Ukraine, Novobohdanivka
<b>Subtotal 2006</b>	<b>503,558</b>	
<b>Total 2005–2006</b>	<b>910,729</b>	

The table below indicates pledges of financial support made by delegations towards the implementation of projects on elimination of rocket fuel component (melange) in 2005 and 2006.

<b>Donor</b>	<b>Funds pledged (EUR)</b>	<b>Country assisted</b>
<b>2005</b>		
Canada	12,500	Armenia
Canada	12,500	Kazakhstan
Finland	266,408	Armenia
Germany	65,000	Armenia
Slovenia	15,192	Azerbaijan
USA	903,454	Armenia
<b>Subtotal 2005</b>	<b>1,275,054</b>	
<b>2006</b>		
Czech Republic	20,000	Ukraine
Poland	80,000	Ukraine
Spain	150,000	Kazakhstan
Spain	150,000	Ukraine
<b>Subtotal 2006</b>	<b>400,000</b>	
<b>Total 2005-2006</b>	<b>1,675,054</b>	
<b>Total for conventional ammunition and melange 2005–2006</b>	<b>2,585,783</b>	

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

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

Presentations at the FSC by heads of OSCE missions: During 2006, a new practice was developed, whereby heads of missions provide reports to the FSC about politico-military projects. The Head of the OSCE Office in Yerevan, the Head of the OSCE Office in Baku, the Head of the OSCE Centre in Almaty, the Head of the OSCE Centre in Dushanbe, as well as the OSCE Project Co-ordinator in Ukraine reported to the FSC.

Seminar on SALW and Stockpile of Conventional Ammunition Management and Security, Bishkek, 7 and 8 June 2006: The CPC, in co-operation with the Kyrgyz authorities, conducted a seminar on SALW and Stockpile of Conventional Ammunition Management and Security in Kyrgyzstan on 7 and 8 June 2006. The seminar was supported by the OSCE Centre in Bishkek, and attended by Kyrgyz representatives together with experts from Germany, Spain, the United Kingdom, the United States of America, the Small Arms Survey and South Eastern and the Eastern Europe Clearinghouse for the Control of SALW (SEESAC). Its purpose was to share OSCE and national practices and experience in effective management of SALW and stockpile of conventional ammunition. It also identified Kyrgyzstan's achievements and problems in dealing with the issue.

Exhibition at the Seminar on Military Doctrine, Vienna, 14 and 15 February 2006: On the side lines of the Seminar on Military Doctrine, held by the FSC on 14 and 15 February 2006, the CPC presented a photo exhibition. The displayed pictures, taken during assessment visits, showed the condition of SALW as well as conventional ammunition stored in Tajikistan, Kazakhstan, Belarus and Ukraine. The photos also documented the work performed by the OSCE in refurbishing and building storage sites in Tajikistan as part of activities undertaken by the Organization in the context of Phase I of the OSCE Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan.

Mediterranean Partners, Vienna, 20 October 2006: On 20 October 2006, Mr. Jernej Cimperšek, Counsellor at the Slovenian Mission and FSC Co-ordinator for Conventional Ammunition, and Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator for SALW Projects, delivered presentations on the OSCE activities on SALW and stockpiles of conventional ammunition to the Mediterranean Partners meeting.

Exhibition at the meeting of the Ministerial Council in Brussels, 4 and 5 December 2006: The FSC is preparing a photo exhibition to take place on the margins of the Ministerial Council Meeting, on 4 and 5 December 2006 in Brussels. A short film as well as displayed pictures, taken during assessment visits, will show the condition of SALW as well as conventional ammunition stored in Tajikistan, Kazakhstan, Belarus and Ukraine and implementation of OSCE projects in these countries.

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

NATO Euro-Atlantic Partnership Council, Brussels, 12 June 2006: On 12 June 2006, Mr. Peter Poptchev, the Bulgarian FSC Chairperson; Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator for SALW

projects; and Mr. Jernej Cimperšek, Counsellor at the Slovenian Mission and FSC Co-ordinator for Conventional Ammunition, delivered presentations on the OSCE activities relating to SALW and stockpiles of conventional ammunition and on the possible exchange of information with the NATO Partnership for Peace Trust Fund on ongoing projects.

United Nations Review Conference on the Implementation of the Programme of Action on SALW, New York, 26 June to 7 July 2006: During the side event organized by the OSCE on 26 June 2006 at the United Nations (UN) Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects, Ambassador Lamberto Zannier, Director of the CPC, presented an overview of OSCE's achievements in the period from 2001 to 2006 in the area of SALW. Highlighting the OSCE's comprehensive approach to security, the Director outlined OSCE assistance projects dealing both with SALW and with conventional ammunition, as well as the main sections of the OSCE Document on SCA that mandated the OSCE's work.

OSCE-EU assessment visit to Novobohdanivka, Ukraine, 5 to 7 July 2006: The OSCE, jointly with the EU, conducted an assessment visit to depot 275 in the Zaporozhye region of Ukraine, which is suffering the consequences of a fire followed by the explosion of over 56 tons of ammunition. The report of the assessment visit was distributed to delegations in September (FSC.DEL/398/06) and envisaged activities aimed at capacity-building and the provision of equipment for destruction of recovered unexploded ammunition.

EU-CODUN, Brussels, 28 September 2006: On 28 September 2006, Colonel Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator for SALW Projects, and Colonel Anders Gardberg, Senior Military Adviser to the Permanent Mission of Finland to the OSCE, delivered presentations on the OSCE's activities on SALW and stockpiles of conventional ammunition, and on the role of the EU in the OSCE's work on SALW. Delegations positively assessed this initiative, designed to allow for enhanced co-ordination between the OSCE and the EU in these fields.

League of Arab States, Vienna, 11 and 12 October 2006: On 11 and 12 October 2006, Ambassador Wael Al-Assad, Director of the Multilateral Relations Department at the League of Arab States, visited the OSCE to discuss possible co-operation in the field of SALW and conventional ammunition.

## **6. Conclusions**

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

The implementation of Section V of the OSCE Document on SCA, dealing with requests for assistance from participating States in the field of destruction, stockpile management and security, remains one of the most dynamic areas of implementation of the Document. Participating States pledged more than 1.1 million euros for the projects in 2006.

Developing the Best Practices Guide on Conventional Ammunition is an important area of implementation of the OSCE Document on SCA. In 2006, the FSC Editorial Review Board completed its work on two best practice guides: on stockpile management and on transportation of ammunition.

The practice of regular reporting to the FSC on the status of project implementation is an important tool for effective and efficient management of OSCE projects on conventional ammunition.

## **7. Annex\***

Synopsis of Status of SALW and Conventional Ammunition Requests for Assistance in the OSCE.

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\* Due to the above-mentioned annex being identical to that of MC.GAL/4/06/Corr.2, it is not attached here. Please refer to MC.GAL/4/06/Corr.2 for the annex.

**LETTER FROM THE CHAIRPERSON OF THE  
OPEN SKIES CONSULTATIVE COMMISSION TO THE  
MINISTER FOR FOREIGN AFFAIRS OF BELGIUM,  
CHAIRPERSON OF THE FOURTEENTH MEETING  
OF THE OSCE MINISTERIAL COUNCIL**

(Annex 8 to MC(14) Journal No. 2 of 5 December 2006)

Your Excellency,

In my capacity as Chairperson of the Open Skies Consultative Commission (OSCC), I have the honor, on behalf of the Chairmanships of Slovakia, Slovenia and Sweden, to inform you of the activities of the OSCC in 2006.

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

The overall number of States Parties to the Treaty has reached 34. In 2006 no new applications for accession to the Treaty have as yet been registered. The Chair encourages and welcomes more OSCE participating States to join the Treaty. The application of Cyprus remains on the agenda of the OSCC.

Since the previous reporting period, the States Parties have conducted about 115 observation flights that by and large have been judged successful and have been conducted in an atmosphere of mutual co-operation between the observing and the observed parties. In the course of these observation flights, the States Parties made wide use of such forms of co-operation as shared observation flights, in which two or more observing parties participated in an observation mission over the observed party. Furthermore, the States Parties continued the practice of conducting training observation flights on a bilateral basis.

The OSCC continues to address issues related to the day-to-day implementation of the Treaty through the Informal Working Group on Rules and Procedures (IWGRP). In this context, the OSCC adopted a decision on procedures for counting quotas and the allocation of costs in cases where the observation aircraft is provided by the observing State Party and the observation flight does not commence. The working Group also made positive progress in discussions of the Observation of any point on the entire territory of a State Party and the influence of hazardous airspace which was reflected in statements to the OSCC Plenary. Furthermore, the OSCC adopted a decision on the revision of the OSCC scales of distribution for 2005–2007 due to the revision of the OSCE Standard Scale of Contributions for 2005-2007.

The Informal Working Group on Sensors (IWGS) continues to work on updating the provisions of two sensor decisions that were originally written in 1994 and expired in 2005 (at the end of the Provisional Period of the Treaty). In updating these decisions, the IWGS has made great strides in making sensor protocols simple and cost-effective. Furthermore, the IWGS has participated in multiple flight-test events where new sensor

protocols were developed and the effectiveness of these protocols was validated. Additionally, the IWGS has started the work on a new Certification Decision, with the aim of clarifying and establishing common certification protocols used for certifying multiple sensor types. The work within the IWGS aims at making the sensor procedures effective, up-to-date, and relevant within the spirit of the Treaty.

The OSCC agreed on a Chair's statement on the evolution of active quotas distribution procedure for the year of 2007. An expert meeting was held on the 5 and 6 October, where agreement on the distribution of quotas for 2007 was reached. The meeting and the new procedure were regarded as very successful and in accordance with the Spirit of the Treaty. The Chair is hopeful that this vital instrument of co-operation will continue to function effectively. The OSCC adopted a decision on distribution of active quotas for observation flights in the year 2007.

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

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

**LETTER FROM THE MINISTER FOR FOREIGN AFFAIRS  
OF THE REPUBLIC OF MONTENEGRO TO THE  
CHAIRMAN-IN-OFFICE OF THE OSCE**

(Annex 1 to MC(14) Journal No. 1 of 4 December 2006)

Podgorica, 4 June 2006

Your Excellency,

I have the honour to inform you that the Republic of Montenegro is ready to join the Organization for Security and Co-operation in Europe (OSCE) as a participating State.

The Government of the Republic of Montenegro hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, the Charter for European Security, and all other OSCE documents.

The Government of the Republic of Montenegro accepts in their entirety all the commitments and responsibilities contained in those documents, and declares its determination to act in accordance with the provisions contained therein.

The Government of the Republic of Montenegro expresses its commitment to all OSCE principles and standards, and its readiness to actively co-operate with all OSCE participating States in the pursuit of the goals of this Organization.

The Government of the Republic of Montenegro expresses readiness to adopt and apply all the provisions of the Vienna Document on Confidence- and Security-Building Measures, including giving full effect to the rules of transparency, predictability and conflict prevention.

The Government of the Republic of Montenegro takes this opportunity to express its strong interest to host a full-fledged OSCE Mission.

The Government of the Republic of Montenegro expresses its readiness to sign the Helsinki Final Act and the Charter of Paris for a New Europe by the Head of State or Government of the Republic of Montenegro at the earliest convenience.

H.E. Mr. Karel De Gucht  
Chairman-in-Office of the OSCE  
Minister of Foreign Affairs of Belgium  
Brussels

I kindly ask you, Your Excellency, to circulate copies of this letter to all OSCE participating States.

Please accept, Your Excellency, the assurances of my highest consideration.

Sincerely yours,

[signature]

Miodrag Vlahović  
Minister