
Chairmanship: Finland**736th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 23 October 2008

Opened: 10.05 a.m.

Closed: 12.20 p.m.

2. Chairperson: Mr. A. Turunen

Prior to taking up the agenda, the Chairperson informed the Permanent Council that the Chairman-in-Office, in a letter issued on 22 October 2008 (see annex 1 to this journal), had announced the adoption, through a silence procedure, of the Ministerial Council decision on the periods of service of the OSCE Secretary General (see MC.DEC/3/08, the text of which is appended to this journal). The Russian Federation welcomed the adoption of the decision (PC.DEL/882/08 OSCE+).

3. Subjects discussed — Statements — Decisions/documents adopted:

Agenda item 1: OSCE MISSION TO MOLDOVA

Chairperson, Head of the OSCE Mission to Moldova (PC.FR/22/08 OSCE+), France-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, in alignment) (PC.DEL/864/08), Russian Federation (PC.DEL/878/08 OSCE+), United States of America (PC.DEL/871/08), Ukraine (PC.DEL/877/08 OSCE+), Moldova (PC.DEL/870/08/Rev.1)

Agenda item 2: REVIEW OF CURRENT ISSUES

(a) *Presidential elections in Azerbaijan, held on 15 October 2008:*
France-European Union (with the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and

Herzegovina, Montenegro and Serbia; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, in alignment) (PC.DEL/865/08), Georgia, Russian Federation (PC.DEL/880/08 OSCE+), United States of America (PC.DEL/872/08), Azerbaijan (PC.DEL/881/08 OSCE+), France-European Union

- (b) *Freedom of religion in Kazakhstan*: France-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Moldova, in alignment) (PC.DEL/866/08), United States of America (PC.DEL/873/08), Kazakhstan
- (c) *Cases of Mr. Abdurakhmanov and Mr. Turgunov in Uzbekistan*: France-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia and Moldova, in alignment) (PC.DEL/867/08), United States of America (PC.DEL/874/08)
- (d) *Recent developments in Georgia*: Canada (PC.DEL/885/08), Russian Federation (PC.DEL/883/08 OSCE+), United States of America, France-European Union, Georgia (PC.DEL/886/08)
- (e) *Death of Dutch cameraman Mr. Stan Storimans in Georgia*: Netherlands (Annex 2), Georgia, France-European Union, Norway, Russian Federation, Chairperson
- (f) *The death penalty in the United States of America*: France-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Montenegro and Serbia; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Armenia, Moldova and Ukraine, in alignment) (PC.DEL/868/08/Rev.1), United States of America (PC.DEL/875/08), Russian Federation

Agenda item 3: REPORT ON THE ACTIVITIES OF THE
 CHAIRMAN-IN-OFFICE

Renewal of the appointment of the Head of the OSCE Mission to Moldova
(CIO.GAL/162/08 OSCE+): Chairperson

Agenda item 4: REPORT OF THE SECRETARY GENERAL

Announcement of the distribution of the report of the Secretary General:
Secretary General

Agenda item 5: ANY OTHER BUSINESS

- (a) *Conference on Border Management and Drug Control in Central Asia, held in Dushanbe on 21 and 22 October 2008:* Tajikistan
- (b) *Negotiations on the draft decision on the implementation of Ministerial Council decision No. 4/07, on OSCE engagement with Afghanistan (PC.DD/23/08/Rev.3):* Canada (PC.DEL/884/08), United States of America, Norway, Russian Federation, Belarus, Chairperson
- (c) *Workshop on Human Security: Human Security Projects in the OSCE Region, held in Vienna on 26 September 2008:* Kazakhstan
- (d) *Parliamentary elections in Romania, to be held on 30 November 2008:* Romania (PC.DEL/876/08)
- (e) *Briefing by the Central Election Commission of the Russian Federation, to be held in Vienna on 28 October 2008:* Russian Federation (PC.DEL/879/08 OSCE+)
- (f) *Supplementary Human Dimension Meeting on Democratic Lawmaking, to be held in Vienna on 6 and 7 November 2008:* Chairperson

4. Next meeting:

Wednesday, 29 October 2008, at 10 a.m., in the Neuer Saal



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

PC.JOUR/736
23 October 2008
Annex 1

Original: ENGLISH

736th Plenary Meeting
PC Journal No. 736, Point 2

LETTER OF THE CHAIRMAN-IN-OFFICE

Minister for Foreign Affairs of Finland
and Chairman-in-Office of the OSCE,
Alexander Stubb

Helsinki, 22 October 2008

Dear colleague,

In my capacity as OSCE Chairman-in-Office, I have the honour of informing you that the period of silence on the draft decision of the Ministerial Council on the periods of service of the OSCE Secretary General (MC.DD/3/08), expiring on 22 October 2008, at noon CET, has not been broken.

The decision is therefore effective as of today and will be attached to the journal of the Sixteenth Meeting of the OSCE Ministerial Council and to the journal of the next meeting of the Permanent Council on 23 October 2008.

Those participating States that intend to exercise their right to duly register an interpretative statement or a formal reservation under paragraph IV.1(A)6 of the Rules of Procedure of the OSCE are invited to do so through their OSCE delegations at the above-mentioned meeting of the Permanent Council.

Yours sincerely,

(Mr.) Alexander Stubb

To the Ministers for Foreign Affairs
of the OSCE participating States



736th Plenary Meeting
PC Journal No. 736, Agenda item 2(e)

STATEMENT BY THE DELEGATION OF THE NETHERLANDS

Mr. Chairman,

On 20 October 2008, the Dutch Minister of Foreign Affairs, Maxime Verhagen, released the report of the Storimans investigative mission. He appointed the investigative mission on 25 August 2008 to gather factual information that could clarify the circumstances in which the Dutch cameraman Stan Storimans died in the Georgian town of Gori on 12 August 2008. The mission was headed by former Ambassador Jacobovits de Szeged and former Commander of the Royal Military and Border Police, General Beuving.

The mission conducted its investigation in Georgia from 29 August to 3 September 2008. It interviewed eyewitnesses, representatives of international organizations, military experts and the Georgian and Russian authorities. Technical and forensic evidence was also analysed, and various independent international media organizations made photo and video material available.

The mission concluded that Stan Storimans was the victim of cluster munitions, propelled by a type of rocket available only to the armed forces of the Russian Federation. The mission found that, by 12 August, military and police units had abandoned the town of Gori. It is therefore unclear what military purpose was served by launching the rocket. Besides Stan Storimans, at least four other people suffered fatal injuries. Several others were also injured.

The Netherlands is deeply concerned about the findings of the investigative mission. Cluster munitions are known to cause unacceptable humanitarian harm. On the eve of the Ministerial Council meeting in Helsinki on 3 December 2008, the Netherlands, together with more than 100 other countries, will sign the Convention on Cluster Munitions, which forbids the use, production, stockpiling and transfer of cluster bombs. The Netherlands calls on all the OSCE participating States to do the same, because it is convinced that the world would be better off without these munitions, as they cause unacceptable harm to civilians.

The Netherlands acknowledges that the use of such munitions is not prohibited. Nevertheless, as a general rule of humanitarian law, parties to an armed conflict must carefully weigh the use of any type of munitions in order to avoid possible civilian casualties. This is the more so in the case of cluster munitions. The case of Gori is one more reason for the Netherlands to urge participating States not to use cluster munitions in situations without

any essential military target and where it must be anticipated that the casualties will be civilian.

Anticipating the entry into force of a legally-binding international agreement on cluster munitions, the participating States should reaffirm their commitment not to use cluster munitions in situations of this kind. The Netherlands would urge the Permanent Council to express its support for a statement to this effect.

Thank you Mr. Chairman. I request that this statement be attached to the journal of the day.



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

MC.DEC/3/08
22 October 2008

Original: ENGLISH

**DECISION No. 3/08
PERIODS OF SERVICE OF THE OSCE SECRETARY GENERAL**

The Ministerial Council,

Recalling the decision of the Third Meeting of the CSCE Ministerial Council in Stockholm in 1992 to establish the post of Secretary General and Ministerial Council Decision No. 15/04 of 7 December 2004 (MC.DEC/15/04) on the role of the OSCE Secretary General,

Taking into account the strengthened role and responsibilities of the Secretary General in providing continuity and facilitating the long-term planning of OSCE activities,

Aiming to further improve the effectiveness of the OSCE and ensure consistent implementation of the OSCE rules governing periods of service,

Decides that the OSCE Secretary General shall be appointed for a term of three years, which may be extended for a second and final term of three years.